vious references.

File No. 38-02

1902

Serial Nos. 1-22

(Sep Rev.)

Later references.

LR 51-26-(1-(4)

4 38-02 Sls: 1-22, B March 1912

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—22

Part B. for March 2

SUBJECT.

Claim of Ramanna & three others of Hindigunal village, Hoskote Taluk to the toddy revenue of their village is Dalsingere etc

From Ramanna & three others, Jodi Inamdars Hindigunal village

No 2932 dy 10.6.03

pray for the issue of orders in the matter of their claim to the toddy revenue of their village

2. Memo no 5 dy 3.7.03 (petition) To the Excise Commr forwards the above together with its enclosures to the Excise Commissioner for a complete report together with the records of the case.

3. From the Excise Commr. Letter No 3618/163 dy 24/30.10.03 No 8883 dy 3/11/ Sends the records of enquiry relating to the Inamdars claim to the toddy revenue of Dalsingere & six other villages in the Hoskote Taluk, Bangalore district

G. R. S. 58

Requests to be furnished with Copies of the Inam Registers
enquiry relating to the above villages.

From the Excise Comm^{r} No 8083 - 311 dy 30th April
Forwards Copies of registers called for above—

6 To the Ex. Comm^{r} No FL 560 dy 28.7.04
Calls for the originals of certain Nirups and enquires whether
the Investigating officer got the statement of villages in
the Bangalore District, the holders of which are said
to be entitled to the toddy revenue of those villages

7 From the Excise Comm^{r} No 309 dy 9.12.05
Reports that the Inamdar Ramanna says that he has not
got the Originals of the above Nirups and forwards copies
there of produced by him Also reports that the statement
in question was received from the Supdt of Inam settlements

8 To the Supdt, Inam Settlements in Mysore No FL 5961 dy 17.3.06
points out that the names of the five villages appear in the
list of the Inam villages Supdt issued in 1889 showing the
Inam villages, the owners whereof are entitled to the Toddy as a
whilst the other two do not so appear and requests him
to explain the significance of the said five villages appearing
in the list of 1889 and the reason, if any why the remaining
two villages do not so appear therein

9 From the Supdt of the Inam Settlements
No 110 dy 5th April 06
states that in all the Seven villages, except the Kayamgutta
Ithasandra, the Inamdars are mentioned as having a right
to toddy revenue that the Asst that Conducted the Inam enquiry
in 1874 based his decision on the authority of an order from
Tondar dy 1824 that the term Abkari used by the Inam
Comm^{r} in his direction that Sayer, Dorests & Abkari are reserved
must certainly mean arrack; that in the list of 1889 the
name of Sprahar Vaddahalle was left out by mistake & that in
the Case of Ithasandra village the item of toddy revenue was
not enquired into as it was a Kayamgutta village & that the
Inam Comm^{r} has reserved the item as in all other Kayamgutta
villages not found in the file.

10.
11. To the Supdt of The Inam Settlements No FL 7343 dy 2.5.06
Enquires why the toddy revenue of the villages was not mentioned
in the Quit rent Registers as having been conceded.

12. From the Supdt of the Inam Settlements No 124 dy 11.5.06
States that was omitted by mistake

G.R.S. 11] 1902.

GENERAL AND REVENUE SECRETARIAT

(Sep Rev)

NOTES.

File No. 384 2

FILE HEADING.

Inamdars' Claim toddy revenue of Dalsigere and Six other villages in the Hoskote Taluk, Bangalore District.

From Ramanna & three others Jodi Inamdaro, Hindigahal Village

Petition No. 2932 Dated 10.6.03 Received

Diary No	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

pray for the issue of orders in the matter of their claim to the toddy revenue of their village

NOTES AND ORDERS.

2. To the Excise Comm^r. Memo no 5 Dy 3.7.03 Forwards the above petition to the Excise Comm^r for a complete report together with the records of the Case.

NOTES—First Sheet.

GPB—30,000—12-8-11

Ex. 7. 38-02 (2

Office Note.

Office of the Dewan of Mysore.

File No. (if any) ~~46 of ?~~

Directions. 38-02-63 *Branch*

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Excise

Subject

Inamdars claim to the body exe
revenue of Dalavoys and
their rights in the Hoskote Tal
Bangalore &c

The file is incomplete with
the copies of the Inam Reports
of Enquiry. In considering the
merits of the claims it
would be better if they are
also taken up along with
their papers So a draft is
put up requesting the Excise
Commr to forward the
necessary copies of the
same

MBD
Cut

J Rice 30/3/04

(2) (2/a)

General and Revenue Secretariat.

Ex File No. ~~46~~ 38 of ~~1901-02~~. 1902-03

Serial No.

2. Letter nos 3618/163 dt the 24/30.10.03 and no 8083/311 dt the 30.4/2.5.04, submitting the records of enquiry relating to the Inamdars' claim to the toddy revenue of Dalasigere and six other villages in the Kookoli Taluk, Bangalore Dt.

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2 In their petition to Government Ramanna and other Joodidars of the villages mentioned above requested Govt to pay them the amount of toddy revenue due to them. They base their claim on the fact that toddy revenue was mentioned in the Sanad as having been granted to them and on long enjoyment for a period of about 80 years

3 The petition was forwarded to the Excise Commr and he was requested to send the records of the case with his own opinion thereon. The Excise Commr has fully discussed the aspects of the case

MGCPB—10,000—19-4-04

[G.R.S.-12]

General and Revenue Secretariat.

Revn File No. 38 of 1902 03

Serial No.	
	in the letter under disposal and sent up the investigating Officer's report with the Inam registers of enquiry relating to the villages in question The Samads and other papers have not been produced although the Inamdars were served with notices. Those ~~for~~ seem to have been included in the records of a case in the City Magistrate's Court, Bangalore but some nimpo were presented
Y	
X	
W.	before Mr S. Venkatanarasimhar and returned to Ramanna Inbd for orders.
	Init 8/7
	Draft calling for the Nimpo and other information put up as per instructions
	9/7. Sent to the Secy Issue Init 10/7/02
4	To the Revn Commr No H 643 & the 31st March 04 Requests to be furnished with copies of the Inam registers

NOTE—Contn. sheet.

G.R.S. 12].

General and Revenue Secretariat.

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Serial No.	
	of enquiry relating to the above villages.
5	From the Deputy Comr. No 8083-311 of the 30th April 04 Forwards copies of reports called for above
6	To the Deputy Comr. No H 560 of the 28th July 1904. Calls for the originals of certain reports and enquires whether the investigations for the detachment of villages in the Bangalore taluk to the holders of coliche are said to be entitled to the land revenue of those villages
7	From the Deputy Comr. No 3098 of the 9th Decr 905. Reports that the Inamdar Ramanna says that he has not got the originals of the above

sheet.

MGCPB-10 000—19-5-04

G.R.S. 12]
General and Revenue Secretariat.

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minps & forwards Copies thereof produced by him Also reports that the Statement in question was received from the Supdt: of Inam Settlements.

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4 The facts of the Case are as follow:—

The Inam villages in respect of which the present Inamdars claim the toddy revenue are Seven in number. These came to the possession of the ancestors of the present claimants on different occasions and under different Sanads.

(2) The oldest of these Inam villages is Arahar Vaddahalli. This was granted in 1530 A.D during the Sovereignty of Achuta Raya Krishnaraya to Soma-natha Dikshitha by Veeraiya naik, a tributary Chief. This was confirmed, from time to time, by the Successive rulers of the Country and finally by Ponjdar Linga raja urs in 1816.

(3) 4 other villages came to the possession of the claimants' ancestors under a Sanad of 1822 granted by H H. the late Maharaja Krishna Raja Wadeer These are:

1. Dalasigere. 3. Medur +
2. Siddahalli 4. Geddahalli

(all Kayamgutta).

L

Arahar Vaddahalli. 1816. Y

1822 Dalasigere. Siddahalli X Medur + Geddahalli. 1822

NOTE—Contn. sheet

GPB—2—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

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(4) In none of these Saunads was Excise Revenue conceded to the grantees. But in 1824, they complained that they were unable to pay the Govt: quota fixed thereon, in spite of every endeavour to improve the Resources of these villages; and Poojdar Kalkatarāja was empowered them to rear date trees in their villages & to sell toddy in their Inam villages as also in a weekly fair which was being held in the Govt: village of Hindigaal.

1824.

Was this not under the old system? W.

1825-6.

(5) In 1825-6, (Parthiva), on a report from the Taluk Amildar that the realizations in the villages were, out of all proportions, much above what was paid to Govt:, the four villages granted in 1822 were seized under forfeiture by Govt but were soon after restored in 1827-8 along with another village, called Hosa Kalkatapura, which had been founded by the grantees themselves, ~~under forfeiture~~

1827-8
Hosa Kalkatapura.

(6) In 1831, the Seventh village called Isthasandra was conferred on them on Kayamgutta tenure by Poojdar Shimmappa Rajendra

1831
Isthasandra.

P.J.O. (7).

NOTE—Contn. sheet

GPB—50,000—23-10-05

Serial No.

(7). It is on record that during the period when the abkari was being managed by the fast Contractors + till 1845, when the Amani System was introduced, the Inamdars were enjoying the privilege of rearing date-trees in these 7 villages and selling them at the shops they had established in those places and in the Weekly fair at Hindigaal. This fact is borne out by the order, no: 32 (Panchabab) dated the 9th November 1849, issued by Captain Haynes, Bangalore Divl: Supdt:. It is explicitly stated in it that there was ample proof of the Inamdars' long enjoyment of the right of Kuding date toddy since the Tonzdar's saunad of 1824; and it concedes a refund of the proceeds of the abkari revenue of the Inam villages under the Amani System introduced in 1845. This document of Captain Hayne is the basis under which the realizations of the abkari revenue were being, year after year, refunded to the Inamdars during the whole period of the Amani System (1845-60). Consistently with this, there are 4 other documents, executed respectively in 1857, 1858, 1859 & 1860, by the Bangalore Divl: Supdt: in favor of the licensees that had

1849. W. Captain Hayne's order. Harris?

Enjoyment from 1824 to 1860. W.

Hamilton

T.

NOTE—Contn. sheet

G.R.S. 12]
General and Revenue Secretariat.

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taken up the management of Extracting & Vending toddy in these Inam villages.

8) But Subsequent to 1861, the management of the Excise Revenue in the Inam villages was again left to their holders & the present claimants continued successfully to Exercise their privilege of Vending toddy. But their right was frequently questioned by every succeeding Govt: Contractor and it does not, however, appear to have been interfered with in any way upto 1884. The first complaint of the Kind was initiated in 1871 with the allegation that the Enjoyment of the privilege of Vending toddy was illegal. But, in the course of the enquiry that was then held, the local revenue officers were Satisfied, on the basis of Captain Haynes order of 1849, that the Inamdar's title to Vend toddy in his Shops was a long recognised fact. In 1874, there was a Similar complaint. The Standing order at the time was the Chief Com's Proceedings, No. 3697 Rev. 30 of the 8.10.1874 In accordance with these proceedings, the Inamdar was precluded from Vending toddy to any but the Govt: Contractor. But this direction was not given effect to & the Amildar reported, Soon after, that after Examining the several documents produced by the Inamdars, particularly those of 1824 & 1849, he was Satisfied as to the ancientness of their title

Enjoyment from 1860 to 1884.

21

Could Collectors Confer a right which had not been enjoyed by Inamdar?

Y1

NOTE—Contn. sheet

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General and Revenue Secretariat.

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X/

There was again a third complaint in 1877, when the Amildar reported to the Dy. Coll.r that the last Contractor was never finding toddy in the Shops of the Inam villages but that it was the Inamdars who were all along finding it in those Shops. There was again another complaint by the succeeding last Contractor in 1880; when the Amildar explained the Inamdar's situation as follows:—

(a) that their claim to find toddy was clearly recognized in the course of the investigation started in 1870;

(b) that Captain Haynes order of 1869 was tantamount to a license which, under the Chief Collr's order of 1873, was indispensable to find liquors. (No body could then find liquor without a license from last).

(c) that, even since 1873, the Inamdar was exercising that right of finding without a licensee from last.

11-7-1881. In these circumstances, the Dy. Coll.r held that by reason of long Enjoyment, the Inamdar had acquired a right to find toddy without a license & hence there was no reason to interfere with his Enjoyment in any way. But this order of the Dy. Coll.r was appealed against

NOTE—Contn. sheet

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V1 against, when this Office issued an order, without probably going to the merits of the case, that pending the settlement of the general question relative to the Inamdars' claim to the toddy revenue of their villages, the Inamdars in the present case should settle with the Govt: Contractors as to the amount of toddy revenue payable to them and in case, they did not agree between themselves, the average of the past 5 years' income was to be paid to the Inamdars. This direction from Govt: remained however, unheeded by the Inamdars. The result therefore was that the toddy contractors presented a complaint to this Office, when the Sy. Asst: Com: was again asked to submit a report, after necessary enquiry, as to the circumstances under which the Jodidars had been allowed to draw & sell toddy in their villages in contravention to all the standing rules. (vide this Office docket R1 No: 3036/228 of the 29: 8. 1883). As the Taluk Amildar again continued to explain the Inamdar's case & a report from the Sy. Asst: Com: seems to have also been received in this Office, but it is not traceable (vide the remarks made by the Record Keeper on the requisition Slip). But R2 the steps, however, taken by the Inamdar to maintain his claim, finally culminated in a criminal proceedings being lodged by the Govt: Contractor &

NOTE—Contn. sheet

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11

He merely authorizes the continuance of the privilege in all their villages. The villages that were then theirs were all the 7 in question. But in the later documents, the names of all the seven villages occur, though in none of them do they all occur simultaneously. ~~In Sum~~ In instance, in the Bangalore Divl: Supdt's licenses granted, during the years 1857, 1858, 1859 & 1860, to the Toddy Renters farmers of these Inam villages, the names of Dalasigere, Medure, Thasaidha & Hindigaal occur, whilst in the Muchalikas executed by the lessees in favor of the Inamdars from 1864 to 1884, the Shops are stated to be in working order in all the 7 places. Again in the Amildar's report of 1874, the Shops of Dalasigere, Medure, Geddalahalli, Siddahalli & Vaddahalli are enumerated. The Inamdars had also opened Shops at the Sirkar villages of Hindigaal & Bikkondahalli for the sale of the liquor produced in their Inam villages. The Inamdars urge also that they had shops in each one of the Inam villages and claim therefore all the items of toddy revenue in the Inam villages & the rental of the shop in the Govt: village of Hindigaal.

T.

This Isthandra was granted in 1831, i.e after 1824.

S

This Vaddahalli was granted in 1531 A.D & Confirmed in 181

Y1

(10)

P.20.

NOTE—Contn. sheet

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(10). Thus much on the merits of the case is necessary to examine critically the decisions arrived at during the Inam Settlement of 1874 and the view taken by the officers that conducted the enquiry regarding the present claim & the opinion expressed by the Excise Comm^r in the letters under disposal.

11). During the Inam Settlement of 1874, the Special Asstt: Superintendent that conducted the Inam enquiry, remarks in the case of the five marginally noted villages, that

a) the Inamdars were long in the enjoyment of the toddy revenue,

b) the date trees were being farmed out by them, to whomsoever they pleased,

c) that the Kud farmer sold the toddy, on his own account, and

d) that the abkari was governed under the Bhf: Comm^rs Pro. of 1873.

1) Balasapura
2) Giddahalli
3) Medura
4) Siddanhalli
5) Hosakn Kalapura

Whatever interpretation it may be possible to put on the above remarks, it is significant, however that the Inam Supdt: directed the item of abkari to be reserved to Govt: It is however noteworthy that the aforesaid five villages find their places in the list of the Inam Supdt: issued in 1889, which gives the names of the Inam villages entitled to the toddy revenue, according to the Inam Settlem

NOTE—Contn. sheet

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The Officer that conducted the enquiry in 1874 has recorded in the calendar of claims that the toddy revenue had, by express terms, been alienated under the Tonzdar's order of 1824 & under that of 1849, that the Inamdar was in undisturbed ~~poss~~ enjoyment of the toddy revenue from 1824 to 1884; & he gives it as his opinion, on the basis of the list of 1889, that the Inamdar is entitled to the whole of the toddy revenue in respect of these 5 villages. In his letter, no 107 of the 15-7-97, the D.C. supports the foregoing decision

2 2

12). Another enquiry was held in 1903, in the course of which also the investigating Officer decided that the Inamdar was entitled to the whole of the Toddy Rev. in these 5 villages, that they must get, under the rules 15 & 2 appended to G.O: No: 2074-83 of the 2-8-1901, grove-rent upto 1898-9 & full tree-rent for the succeeding years. The D.C. concurred with this decision.

This has no connection.

13). In respect of the other two villages, Isthesandra & Baddahalli, the Inam Supdt: reserved the Abkari in the same way as he did to the other 5 villages. But these two villages do not appear in the list of 1889.

0

Relying on this circumstance, the investigating Offr have held that the Inamdars are not entitled to the Toddy Rev of these two villages. This is also confirmed by the Dy Com^r. The Sheristedar does not, however, agree with the foregoing decisions. He thinks that, under para 3 of the late Bhf: Com^rs Pro. of 1873, the

present

NOTE—Contn. sheet

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claimants are entitled, only during their life time, to a moiety of the Sncise Revenue of the said 5 villages & that in the case of two other villages, 1/5th of the fore-rent is payable from 1892-3 to 1896-7, under para 4 of G.O. no: 2076-83 of the 2.8.1901.

(14). Apparently therefore the Inam Registers of 1874 do not agree with the list of the Inam deptt: published in 1889. The Officers that conducted the Enquiry regarding the Toddy claim have based their decisions entirely on the list of 1889. It is necessary therefore to ascertain from the Inam deptt: as to the circumstances that led to the appearance of the villages in the list of 1889. The view taken by the Sncise Govt is open to several objections, which will be noticed, after the receipt of an explanation from the Inam deptt:

Subt: with a draft letter

K.S. 28/2/06. 2.3.06

U 5-3-06

P.S. 7.3.1906

8. To the Supdt: of the Inam settlements in Mysore, no: H. 5961 of the 17.3.1906.

U 7-3-06

Points out that the names of the five villages appear in the list of the Inam deptt: issued in 1889, showing the Inam villages the owners whereof are entitled to the Sncise Rev: whilst the other two do not so appear and requests

Serial No.

him to explain the significance of the said five villages appearing in the list of 1889 and the reason, if any, why the remaining two villages do not so appear therein.

9) From the Supdt of the Inam Settlements.
No 110 of the 5th April 1906.

States that in all the Seven villages, except the Kayamgutta Ithasandra, the Inamdars are mentioned as having a right to Toddy Revenue; the Asstt that conducted the Inam enquiry in 1874 based his decision on the authority of an order from Towzdar of 1824; that the term Abkari used by the Inam Comm in his direction "that Sayer, Toweds & Abkari are reserved", must certainly mean arrack; that in the list of 1889, the name of Agrahar Vaddahalli was left out by mistake; & that in the case of Ithasandra village the item of Toddy Revenue was not enquired into as it was a Kayamgutta village & that the Inam Comm has reserved the item as in all the Kayamgutta villages.

5 This opinion of the Inam Supdt, which not only confirms the presumption that in the case of the 5 villages the Inamdar's title was recognized at the Inam Settlement, but confers in their favour a title to the Toddy Rev of Agrahar Vaddahalli also

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G.R.S. 12]
General and Revenue Secretariat.

E. File No. 38 of 1902-03

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disarms the objections raised by the Excise Comm^r in para 5 of his letter, No: 3618/163 of the 24th October 1903, that the Inam Deptt: did not recognize the claim.

15) In respect of the five villages, the Excise Commissioner's View of the case is :—

1) Balasigere
2) Giddahalli
3) Siddanhalli
4) Medura
5) Hosahalkatapura.

a) That the Tonsdar's order of 1824 had been rendered inoperative by the subsequent act of His Highness - to wit Seizure.

b) That His Highness Samvat 1827 placed these villages under a different tenure (Jodi, originally Kayamgutta) & did not concede the Toddy Revenue.

c) That, at the Inam Sett: the abkari was reserved explicitly

d) That there are no Shops in the villages.

e) That the appearance of these villages in the Jirit rent Deptt can only mean that the Tree rent was in the Enjoyment of the Inamdars.

f) That the Enjoyment referred to by Captain Haygue between 1824 & 1849 was without

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but an unauthorized enjoyment

g) that this sort of unauthorized enjoyment came within the scope of the Chf: Secy's Proc of 1873, (para 3) in which year of the proceedings the recipient was one Kalappa, since deceased, & that therefore the present holder was entitled, during his life time, to a moiety of the Excise Revenue, under paras 2, 5 & 13 of the G.O. No: 2076-83 dated 2-8-01.

Z3

Y3

In respect of the two other villages, his views are:—

Ittasandra & Hirahar Vaddahalli

a) neither the Inamdar's order of 1824 nor that of Captain Hayne apply to these villages.

b) neither the respective Sanneds nor the Inam Settlement conferred a title to the Toddy Revenue.

c) there are no toddy shops in the villages but only toddy trees.

d) for the foregoing reasons, he thinks that the Inamdars are entitled to free-rent from 1832-33 to 1896-97 & to fee-rent for subsequent years. (of the trees are availed of)

NOTE—Contn. sheet

GPB—50,000—23-10-03

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16) As regards the first of the above objections (that the Saunder's order of 1824 had been rendered inoperative by reason of the villages having been subsequently seized) it may be pointed out that it was not so considered by the officers in power subsequent to that event; for it is abundantly clear from Captain Hayne's document of 1849 that the Saunder's title was never before in jeopardy, and that he was in uninterrupted enjoyment of the privilege from 1824 that is to say, in 1849, Captain Hayne himself admitted the validity of the order of 1824

17) His second objection is that His Highness' Sanad of 1827 changed the tenure of these villages from Kayamgutta to Jodi and that it did not then concede the Abkari Revenue to the Saunders. It is not clear how the change of tenure could have affected the Saunder's title to the Toddy Revenue, when that revenue had been alienated presumably (there is nothing to rebut the presumption) by a competent authority. Neither is it clear whether the express mention of that item in the Sanad is at all necessary, when it has been conceded under a separate document, the authenticity of which was recognized ~~by~~ so far back as the year 1849 by Captain Hayne.

Any how,

Note—Contn. sheet

G. R. S. 12]
General and Revenue Secretariat. | File No. of 190

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Any how, the Inamdar bases his claim on other grounds. He says nowhere that that item of revenue was conceded to him by the Samasthan alienating the Inams. He bases his claim on the documents of 1824, + of 1849 + on long Enjoyment.

18) The next objection is that the abkari was reserved to Govt: at the time of the Inam Settlement. The extent + details of enjoyt of Toddy Revenue are set forth by the Spl: Asstt: in the Inam Reg[r] of Enquiry. He states that Toddy Rev: has long been under his Enjoyment + that it was long under his management. He however records that abkari was governed by the Chf: Comr's Rules of 1873. Thus he makes use of both the words "Toddy Revenue" + "abkari". The Inam Supte: has now explained that, in the present case, abkari means arrack. The circumstances of the case set forth in paras 4 to 8, Supra, will probably justify the conclusion now arrived at by the Inam Supte:

19) His next objection is that there are no shops. It is true there are at present no shops. They were however, in full working order till 1884, that is to say within the 12 years

1, 3 + 7, 8

GPB—50,000—25.2-07

Serial No.

preceding 1892-3 as required by the Standing rules of 1901. These Subjs which were then closed owing to the conflicting claims of the Inamdar + the Govt: Contractor to vend toddy, have not been since reopened, pending the disposal of the claim in question.

20) His next objection is that the entry in the Quit Rent Register is not conclusive that, at the time of the Inam Settlement, the Toddy Rev: was recognized to belong to the Inamdar. But the opinion now given by the Inam Supdt: demolishes this objection

21) His last objection is that the Inamdar enjoyed this Rev: from the beginning un= = authorizedly + that therefore the claim falls within the Scope of the Pro: of 1873. Granting for the sake of argument that the Inamdar enjoyed this item of Rev: unauthoriz -edly, does the case now come within the Scope of 1873 Pro: ? Even if it did, do the periods of enjoyment contemplated therein take effect from the date of that Pro:

Since 1873, the Excise Law in force has undergone much altera -tion. After protracted discussions, the Govt: have finally decided to deal all claims of Inamdars to toddy Rev:

Note—Contin. sheet

GPB—50,000—25-2-07

Serial No.

Y_3 under the Rules which were promulgated in 1901. These Standing rules of 1901 appear to rescind all former rules relative to the treatment of the Inamdar's claims to the Sodey Revenue. All cases that come before Govt after the issue of these Rules will have to be decided in accordance ~~to~~ with these rules. There is no doubt but that the Rules of 1873 have now been repealed. In short, the Govt went so far as to see to the Supersedency of cancelling an order of 1877 (Y_3 V_3 (Swangere Sodey claim) based on that of 1873. The literature connected with that case goes to show that the Schf: Conv^n Proc of 1873 worked as a hardship. At present, all cases of unauthorized enjoyment seem to fall within the scope of Rule 20 of 1901. If the unauthorized enjoyment has been uninterrupted for about 50 years, it is in the eye of Govt as good as any that has been alienated by a competent authority. If, on the other hand, the unauthorized enjoyment did not cover 50 years & if it had not been exercised within 12 years preceding the year 1901-2, then the Claim will fall.

No. The matter copy shd most clearly be specific right reserved & this will not be clear under it is deleted

one of the latest cases that has been to dealt with under Rule 20, is ~~decided~~ to be found in Govt order No. R: 3975-7 of the 22-12-05, where by virtue of long enjoyment, the Inamdar's claim has been recognized in its entirety (but not for any such

D T_3

Note—Contn. sheet

GPB—50,000—23-10-05

† Kunikallgatta in Honnavar Taluk.

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limited periods as those contemplated in 1873)
In other words, Rule 20 confers an absolute title on the Inamdars.

22) In respect of the other two villages, Hasandra & Vaddahalli, the Amine Comr thinks that neither the Tahsildar's order of 1824 nor that of Captain Hayne's of 1849 applies. The Inam Supdt: has now recognized the Inamdar's claim to the latter village, probably, on the ground that those orders of 1824 & 1849 did apply to that village also.

Of Course, Hasandra, which was granted in 1831, has no support of any kind. It has been discussed, at some length, in para 9 of these notes, that Hasandra was also probably one of the villages where the Inamdar had a share of the toddy revenue of which he was enjoying from 1831 to 1884, that is to say, for a period of 53 years. If the Govt: are inclined to think so, this village appears to come within the scope of rule 20. As regards the Inam Supdt's statement: that, at the time of the Inam Settlement the Inamdar's claim to toddy Rev: of this village was not enquired into as it was a Kayamgutta, it may be stated that it is nowhere said that Kayamgutta villages are disentitled to that item of Rev: the toddy claims of these Inams villages are being

NOTE—Contn. sheet

Serial No.

$R_3 \cdot P_3 + Q_3$

decided by Govt: on the merits of each individual cases. Three typical cases are put up for reference

23) As regards the Inamdar's claim to the rental of the Govt: Shop at Hindigaval (Shop is held at a Govt: Rent), it may be pointed out that the Shop-rent is governed on the "Place of consumption" & that he is not entitled to it. Submitted for orders

K.S.
21/4/06

Please accept the receipt of the title-deeds mentioned 26/4/06
Submitted

R_{10} The title-deeds since received show that the toddy Rev: are not conceded to the Inamdars. These title-deeds are based on the basis of the Inam Registers of 1874 & are anterior to the list of the Inam Settlt effected in 1889.

$Sl:10. N_3$

* not found in the file

K.S. 25-4-06
BK

Please put up the Quit Rent registers Concerned 27-4-06

Submitted with the Quit-Rent Registers in question; the items of revenue that are conceded to the Inamdar are given in col: 17, but Abkari or toddy are not mentioned in that col: It may be assumed therefore that the Sheristadar was all along thinking of the list of 1889 as an extract from the Quit Rent Register, or more probably there must be a revised Quit Rent Reg: may the Inam Settlt: be asked about it?

Submitted with a draft.
BK. K.S. 28/4/06

Issue 28-4-06

NOTE.—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue
Secretariat.

File No. 38 of 190 2

Serial No.

11. To the Supdt of the Inam Settlt, No: H: 73438 2: 5: 06
Enquires why the Todda Rev: of the villages was not mentioned in the quit rent Rep[t] as having been conceded.

12. From the Supdt of the Inam Settlt, No. 1240 of the 11: 5/06
States that it was omitted by mistake.
Submitted for orders
K.S.
19/5/06.

6 It is necessary to ascertain the exact circumstances under which the Shops were closed in 1884. Please ask the Srcase Comm[r] to send a Copy of the Order directing the Closure of the Shops and all other Connected papers.
Rule 14-6-06.
Submitted with a draft as per orders
K.S.
15/6/06.

Issue rule 19-6-06

No reply has been received from the E.: Comm[r] Dept of a reminder is put up.
Issue rule 20-7-06
18/8/06

13 To Nilgiris Collr

Abt Sun
K.S.

Note—Contn. sheet

GPB—50,000—23-10-05

Serial No.

7

Upon a complaint from the Govt. Todas Conciliators ordered for orders. In settling the claims we ~~were~~ to have depend much upon the settlement of these villages subject to Todas revenue furnished by the Revenue Officers to the Commissioners in 1888 & 1896 and upon the ruling of "Todas" in the Govt Rent Roll Register among the items of revenue alienated

These lists have been received from Revenue Officers & Commissioners the amount value of their own & when the Govt Registers are themselves available

Sd/ 7/8/07

Todas
12.7.07
8/8/07 13/7

8 (1) The five villages (1) Dalavi-gere (2) Giddahalli (3) Siddanhalli (4) Medrum & (5) Hosa Venkatapura were granted by one Samad & these may therefore be considered together

The case of the remaining 2 villages (1) Illasandra and (2) Agrahara Vaddenhalli may be discussed separately.

2) Four villages (Dalavi-

NOTE—Contn. sheet 4

Serial No. (5)

W

Even supposing that the Tourdar's order of 1824 has any validity, a careful perusal of it shows that it did not concede to the Inamdar any right to raise revenue, for it professed to interpret the Sanad of 1822 and to authorize the Inamdar to raise revenue as allowed by the Sanad which did not expressly alienate raise revenue. The Tourdar said that by granting dale trees (ಕಲ್ಲು ಮರ ಮತ್ತು ಕಲ್ಲು ಮರ ಮತ್ತು ಕಲ್ಲು ಮರ ಮತ್ತು ಕಲ್ಲು ಮರ ಮತ್ತು ಕಲ್ಲು ಮರ) the Inamdar could as permitted by the Sanad increase the resources of his villages and pay the revenue due to Govt and as the Tourdar did not & could not concede a right not allowed by the Sanad, and as the dale trees yield revenue other than that derivable by the sale of toddy this order cannot be held to have given the Inamdar the right to raise revenue proper

The proper interpretation seems to be that the Tourdar exceeded his powers

NOTE—Contn. sheet

Serial No.

revenue enjoyed by the Inamdar
ered in describing this enjoy-
ment be observed as follows:-
"Todi trees growing in the Jodi
villages are farmed out by the
Inamdar & the farmer sells
Todi on his own account. The
Abkari will be governed by the
Rules in Proviso 6" Upon this
report the Superintendent of Inam Settle-
ments reserved the right to
Abkari to Govt in accordance
with this settlement neither
in the Title deeds nor in the
Quit rent register is there any
mention of the Concession of
Todi revenue to the Inamdar.
(The Inspector Comes is not correct
in his statement that the item
is mentioned in the Quit Rent
Register.)

(8) In a list of villages entitled
to Todi revenue prepared by the
Inam department in 1889
these 5 villages appear. This
inclusion can have no weight
as it is not supported by the

NOTE—Contn. sheet

G. R. S. 12]
General and Revenue Secretariat.

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Inam Settlement. His list could only have been based on the settlement & where it differs from the latter it must be taken to be wrong.

The Inam Supdt states that the omission to mention tody in the Govt Revl Registers & the title deeds is a mistake and interprets Alekani which was reserved at the Inam Settlement as meaning wreck. "Tody" which was admitted at the Inam Settlement as in the occupancy of the Inamdar he considers as meaning the entire tody revenue to which therefore he would admit the Inamdar's right. His view of the Inam Supdt is not supported by any authority. The Inam Settlement, the absence of any mention of this concession in the Govt Revl Registers & the title deeds are opposed to this opinion. In view of the

NOTE—Contn. sheet

GPB—50,600—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

SH File No. 38 of 1902

Serial No.	
	Description of the nature of enjoyment of Govt grantee the Asst. who conducted the Inam enquiry. Of his statement that Alienation was governed by Precis 6, of the unqualified manner in which the term Inam employed to govt the right to Alienation and of the general use at the time of the word "Alienation" to mean the whole of Excise revenue, the Inam Asst's interpretation of the extent of reservation given in his letter no 110 of 5/4/06 does not seem entitled to much weight
A	
B	
	(c) The Investigating Officer relied upon the Tourgam order of 1824. the Bangalore Division Asst's order of 1849 and the Inam Dept Test of 1889, but none of these as shown above establish the Inamdars right to the Excise revenue of the villages.

Right of Govt under Rule 15 of the Rules of 1901

NOTE—Contn. sheet

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

SDH File No. 38 of 1902

Serial No.

(11.) Failing express grant in the Samad Concession at the Dhone Settlement, the right can only be based on long enjoyment which is in the Dhondar's favor

In the order of 1849 passed by the Bandalore Divisional Relief reference is made to long enjoyment of the revenue by the Dhondar. Enjoyment since that year is proved by the documents flagged (T) as also by the statement made by the Assistant who Conducted the Dhone enquiry in 1874 From 1874 to 1884 also the Dhondar was getting the revenue and in the latter year the Ryots in the villages were closed under the orders of Govt. There is thus proof of uninterrupted enjoyment for a period of not less than 50 years prior to 1892-93.

X 3

(12) After uninterrupted enjoyment is proved, the

NOTE—Contn. sheet

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G. R. S. 12]
General and Revenue Secretariat.

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next question is what relief should be afforded to the Inamdar. There has so far been no general ruling on this point. Cases of the kind are being reported for the orders of Govt. under rule 20 of G.O. No 2074-82 - R4. 166-92 & 2nd revised 1897 Govt. neither this rule nor the other rules specify what concessions should be allowed in cases of unauthorized encroachment. There has been a diversity of treatment of this class of cases. For example, in the present case the Excise Comr. proposes to give under para 3 of Govt. Order of 8.10.73 No 3695 - Rev. 30, full revenue to the Inamdar in whose name the village stood in 1873 & half the revenue to his successor. In a similar case (Kaiyaneguttia Hyderkamor village of Nargipur taluk, in SSh 48-02, which is being separately dealt with), he

Y3

Z3

Rule to be seen before 14/5/07

NOTE—Contn. sheet

G. R. S. 12]
General and Revenue Secretariat.

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Serial No.	
	proposed to give half the revenue in perpetuity in such cases. In rule 20 is contained in G.O. no 2074-83-R.A. 166-92 of 2/8/ of such cases were directed to be reported for the orders of Govt. The only general ruling to regulate the measure of relief to be afforded in such cases is therefore the Chief Commr's order of 1873. This provision seems to be a sufficient concession in cases of unauthorized enjoyment.
4	It is only right that the treatment meted out to cases of express alienation of this item of revenue should differ from those in which the claim is based only on unauthorized enjoyment. The right to the enjoyment of the Excise revenue in Mysore is an extraordinary one not allowed in British India. Where the authority alienating the revenue expressly

NOTE—Contn. sheet

GPB—50,000—25-2-07

Serial No.

permitted the Dewan to
levy excise it is but right
to presume such grant. Where
however there is no such grant
and the Dewan has encroached
upon the Govt. revenue & has
unauthorisedly enjoyed it
it seems only fair that he
should not be permitted
to continue to enjoy what he had
& has no right to enjoy. As
however, the sudden withdrawal
of a long enjoyed right may
operate as a hardship, a
partial concession of the full
revenue for one life & half for
the 2d & its resumption afterwards, was allowed by the Chief
Comr and this provision
seems equitable and there
seem to be no reasons to justify
the grant in perpetuity of
what was illegal ab initio

I concur
Hutton

Serial No.

Ittsandra & Vaddenhalle

(15) In the case of these two villages also there is no mention of toddy revenue in the Sannad and the right to Abkari was reserved at the time Settlement. As in the case of the other 5 villages the Amildar seems to have been enjoying the Excise revenue of these 2 villages also till 1884 when the Shops were ordered to be closed. In the Amildar Register of enquiry reference was made to the privilege of the Amildar to sell toddy without a license and it was stated that the Amildar was actually enjoying this item of revenue.

The village Ittsandra is mentioned along with the Dalavigere group of villages in the license for 1857 granted by the Divisional Superintendent for vending toddy in the Shops of these villages. Though mention is not made of these villages in all the documents relied upon

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for proving enjoyment for 50 years it appears probable from the fact that there were shops in all the villages & that the Maundar made no distinction between these 2 villages and Dalavigere group, that he enjoyed the excise revenue of all the 7 villages till the shops were closed under orders of Govt. If enjoyment is admitted, these 2 villages have also to be treated in the same manner as the other five.

(16). The Investigating Officer & the Excise Comr have disallowed the claim to the revenue of these 2 villages on the ground that the Samad & Maasi Settlement do not concede the right, but the proof of long enjoyment by the Maundar of the excise revenue of these villages has not been discussed by them.

(17) The Maundar's claim & the rent of the Shops in Hirigunal

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a govt village - is untenable. The particular place where the Shop is situated may belong to the Inamdar but he has no right to these revenue realised in a govt village.

Inam
13.9.07

Genl Seen

I agree in the views expressed in the above note

(Sd)

USB
20/9

4482/23-9-07

9 [The above is a well written / clear headed note]

10 I entirely agree in the first ten paragraphs or in general of the above note - & hold that the Inamdar in this case is not entitled to these Revenue - The questions referred to in paras 11 & 12 of note need not be raised in this case - in which there has been no shop within Inam limits since 1884 - For this fees he is entitled to rent if levied - I would like to see the draft of G O before issue - Sd 8 Oct 07

Please put up a draft order

USB
9/10

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

8R File No. 38 of 1902.

Serial No.

Draft approved Please put up a clean

Typed
4.11.07
BK

4/11/07

Clean draft approved by Secy

Typed
7.11.07
BK

7/11

5868/4-12-07

Submd to Secy

8R
4/12

Draft approved - A clear type written draft may be submitted for the Dewan's concurrence —

Typed 7.12.07

728/14.12.07

16/12/12

16. From Seenappa & Hanmanthu Rao Inam Jodidars of Siddanahalli Dalasagere etc villages, Hoskote Taluk Bangalore Dist Petn. dd 24.2.08. Request that they may be given a hearing with the records already filed and yet to be filed.

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 38 of 1902

Serial No.

17. From Seenappa & Hanmanntha Rao, Inamdars of Dalasanur & other villages of Hoskote Tq.
Petition dt 9/5/08.
Pray that the Dakhalas of the past 84 years, showing the full right and enjoyment of the toddy trees & shops mentioned in the Inam villages, be perused & the rights established be confirmed.

11/ The file was once obtained back to see if the points referred to in the 2 petitions received have been already considered. The Sheristadar & Nehalkar reported have been already considered. The Palkies referred to in paras 4, 10 & 12 of the petn dt 9/5/08 (8/17) are not available in office. The Inamdars may be asked to produce them. Palkies referred to in paras 14 & 18 will be obtained & called when the case is finally called for orders and the references in other paras are immaterial.

Note—Contn. sheet

GPB—50,000—25-2-07

Serial No.

Ruled with a draft endorsement to produce the papers called for in para 4, 6 & 12

When this case has been closed, I do not know if these papers can be withdrawn

1915 104

(12 Secy) But the final order has not been passed, there is no harm in having every available material which may help us in deciding the case, & prevent applications for review. May be sent for, though I am not sure whether they will throw much more light on the case

6922/508

Ruled by Sec'y & 1915 104

(1) The petition should be sent to the Excise Commr for examination & report as to the extent, if any, to which the statements therein contained confirm or modify the Excise Commr's opinion already furnished & for reasons. If necessary the petrs may be heard by the Excise Commr.

(2) Inform Petrs by endorsement that the petition is sent to Excise Commr for examination & report. And that

it

NOTE—Contn. sheet

Serial No.

It was replied on their part by Badrup a Member of Govt by name instead of the Secy to Govt in the usual course — Copy Endorsement to Supt of Excise Calcutta

28 August

Submitted with two drafts according

K.S. 28/8/08.

29/8

29/8

18 To the Excise Commissioner

No 7625 dt 2/6/08

Forwards dl 17 with records etc for examination and report as to the extent if any to which the statements contained in the petition under reference conform or modify the opinion furnished to Govt by Mr P N Banerjea in the matter & stating that the petitioners may be given a hearing, if necessary.

19. To the Inamdars of Dalasapur & other villages —

No 7626 dt 2/6/08

Informs them that their petition has been sent to the Excise

GPB—50,000—25-2-07

Serial No.

to the Excise Commissioner for report, and points out their irregularity in having addressed a member of Govt by name instead the Secy to Govt in the usual course.

No. 7162 S. 22.6.08.

Copy of the above to the Excise Commissioner, in continuation of sl 18 above.—

20 From Secretary to Government Bombay

Rep dy 22/4/08.

Represents that their claim is long pending disposal & requests the Govt of Bom advance Rs 5000/. in order to enable them to celebrate the marriage of their daughters or to grant them a loan of this amount on the security of their Kodaqi Mauza Lands Rs 1420 Govt advances will create an inconvenient precedent & it is objectionable to Govt

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 38 of 1902

Serial No.

the address where the claim itself is to be made
filed with a draft regarding the excise Commr's decision of the refund called for from there

Secy
22.2.09

Forwards copy of an endorsement with the draft so not abstracted

20/2/09

21. From the Excise Commr.
No: 6268 of the 26/1/1910.
submits with his opinion the records of the case in question

15 No new points have been adduced by the Dwarkadas, nor has the Excise Commr given more facts in favour of the Dwarkadas. The points noted by him in his letter of the 26th Jany 1910 have already been discussed in the foregoing notes. He has not also shown why he has changed his decision communicated in his letter of the 24th Oct 1903 The file is resubmitted with the draft already put up.

Sl no 3 in the file.

16 If the decision is not altered the draft will have perhaps to

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. 38 of 1902

Serial No.

be slightly revised.

Mr. 83
8/6/11
8/6/11
8/6/11

17 Kind reference is invited to the last Revenue note of Mr M. N. Krishna Rau, Asst Secy, in the file which discusses the case from all stand points. The Dist Collr (now Diwan) agreeing with the 2nd first two paras of that note was of opinion that the Inamdar's claim in respect of all the villages should be rejected. A draft was accordingly put up and appd by him. But before it could be submitted to the Diwan for approval (as directed by the Dist Collr) the ~~Collector~~ Inamdars made an application praying for time to produce additional Evidence. This was allowed and the Excise Commr was requested to make a further report in the light of the additional Evidence which the Inamdars might produce. The Excise Commr (Mr Sparkes) has sent up his report now. This report discloses no new ground in support of the Inamdar's claim. It will be seen from the draft put up and the discussions in the foregoing

NOTE— Contn. sheet.

GPS—50,000—12-8-10

Serial No.

pages that the Claim as proposed be rejected owing to the absence of all authority in the original grants or Sanads for the Enjoyment of Toddy Revenue. The Inamdars have adduced no new facts to prove this part of their Case The Collr's letter of January 1910 is an Elaborate defence of the Claim of the Inamdars on the Evidence already Considered by Govt and does not furnish any additional material affecting the Case as propounded in the draft approved by the SR's proceedings In this view the Claims in respect of all the villages have to be rejected — unless it is Considered that the Case may stand over pending the revision of the rules of August 1901.

and in the Inam Registers

In para 4 of their petition praying for an opportunity to adduce additional Evidence the Inamdars refer to an alleged Confirmation of their right to sell toddy by the Divisional Supt. Mr Mackenth in the year 1838. But no reference has been produced in support of this Statement. But Even

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No.

if this had been produced ~~the~~, it would not have made any difference in the decision of the case as it does not in any way affect the terms of the original grant. The same remark applies to the arguments advanced by the petitioners in paras 10, 12 & 14 which alone refer to "new matter."

6/7/11 7/8/11

1st Cr

20 The decision of this claim has already been deferred too long Col Smith and Mr Sparkes are in favor of granting the claim in respect of all the villages. Mr Sparkes letter reads like special pleading Mr Purnaya who made the first report was for rejecting the claim.

21 Long enjoyment of the right to toddy revenue is the only point in favor of the Inamdar

NOTE— Contn. sheet

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

R/R File No. 38 of 1907

Serial No.

If such enjoyment is held to be unauthorized & illegal, the Jamadar cannot lay claim to any concession such as was sanctioned in the Chief Commissioner's order of 1873. I have read the records in the case and I agree in the view that the Jamadar's claim should be rejected. There is no need to defer the decision pending the revision of the rules of 1907.

RBN
17/7/11

12588
18.7.11

Dewan

17/7/11

Draft approved.

There are some pencil marks on the draft. If they mean anything I would like the Assistant Secretary to speak to me. If not they should be rubbed out.

I do not think they mean anything. The draft is the same as that agreed to by the Dewan on 31st Oct. 1907. Rubbed the pencil marks

12/3/12

II

8/3/12

Before issue, to speak to Dewan about this.

8/3/12

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

Excise File No. 38 of 1902

Serial No.	
	2 Sds draft appd by Dewan
	12/3/12 SR
22	To the Excise Com " Comptroller " Supdt, Mam Settlements " Dy Com opposite no. Ft 3856-8 dy 15-3-12 Disallows the claim in respect of all the village

GPB—50,000—12-8-10

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 4181 and 4190 re
Mamdoon Claims
the Court requires
the Municipal
Council to produce
& Valuers & bottle
Valuers belonging to
Uccco.

Please see the Order
of the Deputy Commissioner
D No 4190 (Petn No 190
of 1905) of the Mamdoon

The report called for
from the Municipal
Council not yet received
The papers should be
noted with the amount
of the Bonds taken

Need not note in Diary
3 & 4 or put up & place
the case as it now stands

Filed

Petitioners
may for
14/5 finally

GPB—45,000—19-5-08

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

D 4/1900 '55

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

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advance subject to adjustment after the decision of their claim to the Coorg revenue. They have already had an advance of Rs 6000 and any further advance that may be made may not be recoverable in case the claim is rejected — which is not improbable, judging from the notes in the file.

The final disposal of the case is pending on account of the delay of the Commr in not sending up a report called for. The Resident explains that the delay is due to the Local Officers.

A Reminder was issued only 11 days ago (3rd May)

Please suggest suitable endorsement to the Petn and send the Petn to the Mercn. Commr for early submission of the report with reminder.

KPP

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

7/5/09

SH

14/5.

(Actg Consulting Engineer)

GTB—45,000—19-5-02

Recd Endsd

Ex 556 9/1/6/03
E-738-02-8C (1)

Awaiting stamped

Transferred to the
Secretariat for
disposal.

28
17.6.03

Returned
Issue
2
24/7/03

1902-03

No. 2932

Name of Petitioner 1) Ramanna
2) Govindaiya
3) Seena Appa and
4) Hanumanthaiya

Village Hindigaual Jodi Inam and village Hoskote

Taluk

District Bangalore

Date of Arzi 10.6.03

Date of Receipt 12.6.03

Date of Disposal

No. of Enclosure three.

ABSTRACT

Submit that as per Sanad dated 23rd December 1824 issued to the petrs great grandfather Venkatakrishnaiya, by the Bangalore Faujdar Venkataraya Urs as per orders of H late Highness, the Shendi income from Shops &c of the Inam village and grant the Hindigaual Sauthes used to be enjoyed by the petrs' family for 80 years; that in 1884 on the complaint of the Shendi contractor Nilgiri Rapanna

MGCPB—4,000—31-1-02

the Dy Collr gave the excise
Revenue collection work in respect
of these villages to the contractor;
that since 1885 the Shendi income
is not being paid to the
petro; that till now Rs 18,656-8-0
is due to them by the Govt out
of which only Rs 6460-6-0
has been paid. till now; that
they have been complaining since
then in the matter to the local
authorities and had sent the
original Sanad and certain
other documents in their
favour, on 16.2.85 in criminal
case No 49 of 1885 on the file
of the Town Magistrate's court;
that the records are now
with the Revenue Dept to file
in the Ob; that no final
orders have been as yet
passed in the matter; that
on 26.5.02 they were served
with a notice (original produced)
by the Hoskale Dubash Collr
to appear before him with
documents

regarding their rule; that they appeared and stated that the records already in the Dy office contained all the references sub by them previously; that they were thereupon informed that records would be called for and orders communicated to them in due course, that no order has been issued to them as yet; that their petition sub to the Dy Comr also on 12.1.03 fetched no reply

Pray that the entire records be called for from the Dy Comr and equitable orders passed in the matter of their claim which has been pending disposal since 1885

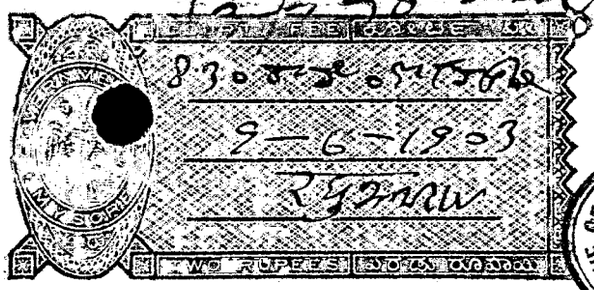
Sd 15/6/03.

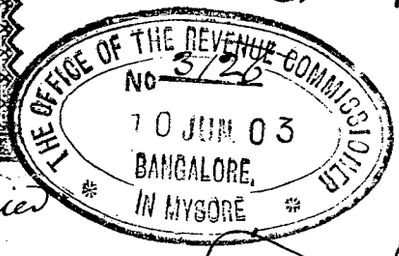
N.B. Petrs ab grant sub this petn to the Rev. Comr who returned the same to the petrs for presentation to the proper authorities &c

ہے کہ اس نے اپنے ہاتھ سے اپنی بیوی کو قتل کیا ہے۔ اس کے بعد اس نے اپنے بیٹے کو بھی قتل کیا ہے۔ اس کے بعد اس نے اپنے آپ

(1)

Enclosure (1) to Sl





Two rupees Stamp affixed
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3 enclosures

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Enclosure (2) to S21
Ex 3.8.02

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Enclosure (3) to SLI No. 38 of 82

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ಸಂಖ್ಯೆ: ಪಶುಸಂಗೋ — 9 — 01

ಪಶುಸಂಗೋಪನಾ ಇಲಾಖೆ

ಸೇವೆಯಲ್ಲಿರುವಾಗ ಮೃತಪಟ್ಟ ಪಶುವೈದ್ಯಾಧಿಕಾರಿಗಳ ಕುಟುಂಬಕ್ಕೆ ಪರಿಹಾರ ಧನ ಮಂಜೂರಾತಿ ಕುರಿತು

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Enclosure (Letter) 3138-02

No. 2942

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE,

Dated Bangalore, 11 June 1903

ENDORSEMENT granted [to Ramanna and certain other Landholders of Hindigaual village, Hosakote Taluk

in reply to Their Petition Registered No. 3126

dated 10 June 1903, appealing against the order of the Assistant Commissioner, Hosakote Division Bangalore District in the matter of the Abkari Revenue of certain Inam villages due to them

The Petitioner~~is~~ are informed that their petition is returned for presentation to the proper authorities.

Ramanna Rao

for Revenue Commissioner.

MGCPB--500--12-11-02

Ee 7.38 52-8 (2)
No Ee 7.1601 Ew 4
dy 6/7/03

Memo:

Petn pefore 2932/Ee.556
dy 17.6.03 from c/s Ramanna & 3 others of Hindigunal village, Hoskote Taluk, praying for the issue of orders in the matter of their claim to the lobby revenue of their village, is forwarded to the Revenue Commr, in Mysore for a Complete report together with the records of the Case

(together with its enclosures)

Bll
2/7/03

Tkw 4/7/03. for Secy

No 3618/618 Rec 12 files Excise Commissioner's file 3

Ex. F. 38-02-8

Dated Bangalore 24th October 1903.
31st

From

B. N. Narasaya Esqre B.A.,

Excise Commissioner in Mysore.

To

H. V. Nanjundayya Esqre M.A. B.L.

Secretary to the Government of His Highness the Maharaja of Mysore

General and Revenue Departments.

Sir,

In reply to your Official Memo No 5/Ex.7 16-01, dated 3rd July 1903, I have the honor to submit herewith the records of enquiry, together with Copies of correspondence etc as per particulars in the margin, and to state that for the following reasons, I do not concur in the opinions of the investigating Officers and the Deputy Commissioner that the Jodidars are entitled to Excise Revenue from toddy of the first five villages.

1 Records of enquiry of the following Inam villages:—
(1) Dalasigare
(2) Siddanahalli
(3) Heduru
(4) Geddahallipura
(5) Hosamenhalapura
(6) Ittasandra
(7) Agrahara vaddanahalli

2. Copy of Docket No 4.6, dated 4th July 1903, from the Deputy Commissioner Bangalore with its original enclosures.

Copy of Docket No 4.21, dated 20th July 1903, from —ditto— with its original enclosures.

4. Copy of Docket No 4.56, dated 12th October 1903, from —ditto— with its original enclosures.

2. The Inam Settlement Register of Dalasigare village shows that the under-mentioned documents were produced by the

W 2

Ex 218 of 4-11-03

4-11-03.

1903.

From P. Sivaraja Esq. B.A.

Excise Commissioner

in Mysore.

To

H. V. Nanjundayya Esq. B.A. B.L.

Secretary to the Government

of His Highness the Maharaja of Mysore

General and Revenue Department.

Dated 24th 1

Despatched 30th } October

Received

General No. 3618

No. 163

Enclosure No.

Sir,

In reply to Secretary's

Official Memo No. 5

Ex 7 16-01

dated 3rd July 1903, submitting

with opinion thereon Records of

Enquiry, together with Copies

& Correspondence &c from the

Deputy Commissioner Bangalore

regarding the Paddy Revenue

of Dalsingarikote and six

other Godavalu villages in

the Hoskote Taluk.

Excise

4.11.03

Jodidars at the Inam Settlement:—

(1) One nirup dated 1822, from His Highness the late Maharaja Krishnaraja Wodayer, granting Dalasigare, Siddanahalli, Hédüru, and Geddalahallipura on Koyemgutta.

(2) One nirup from ditto dated 1827, granting to Venkatakrishnaiya and his sons Venkatachalaiya and Nagappa, the following villages:—1. Dalasigare, 2. Siddanahalli, 3. Hédüru, 4. Geddalahallipura, and 5. Hosavenkatapura, on a Jodi of Pagodas 500/- for personal benefit and for religious and Charitable purposes from the profits.

(3) One order from Fouzdar dated 1824, authorizing the Jodidar to raise toddy trees in the Jodi villages and to sell toddy in Hindiganal.

3. In the said Inam Settlement Register, the following information is also recorded by the Inam Assistant who investigated the case:—

"(1) In 1822 the Maharaja granted to the said "Venkatakrishnaiya under a nirup now "produced, the villages of Dalasigare, Siddana "halli, Hédüru and Geddalahallipura on "Koyemgutta."

"(2) Three years afterward, a "Shanti" amildar "named Rama Rao reported to His Highness "that the villages were capable of yielding a much

"much greater revenue, and they were
"therefore "confirmed" in 1825."

(3) In 1827 the Maunda pleaded his case
"successfully before the Maharaja, who
"granted the said villages together with
"another (Hosavenkatapura) which was
"founded by Venkata Krishnaiya himself
"on a combined Jodi of Pagodas 500/-".

4. At the present investigation,
the Jodidars did not produce the nirups
of 1822 and 1827, but they produced copies of
the Fouzdar's order of 1824, one of which has
been filed with the records of each of the
first five villages, and also copies of the
late Bangalore Division Superintendent's
order No. 32 dated 9th November 1849 which
are similarly filed. It is evident from
the Inam Settlement Register that the said
villages which had been granted on C.
Koyenguttu under nirup of 1822, were C.
confiscated in 1825; and they were subsequently
regranted on Jodi under nirup of 1827. C.
Therefore the nirup of 1822 which the Jodidars
have not now produced, and the Fouzdar's
order of 1824 which they have produced, being
antecedent to nirup of 1827, cannot have
any value as in any way affecting the C.
regrant in 1827 or ~~for~~ way of construing it.
Accordingly the nirup of 1827 which they
produced in this office, and in which no
mention of Jodi revenue is made, C.

U

Question No. 1

admitted by Jodidar Ramanna in his
deposition which is on the accompanying
file, is the only basis for deciding the claim
to Excise Revenue from Toddy

5. In the Inam Settlement
Register, it is stated that the items now
enjoyed by the Jodidars, are (1) Land, (2) Amrop,
(3) Mohaturfa, (4) Kulgaval and (5) Toddy.
It is explained in the same Register that
Toddy revenue is derived in the following
manner:— "Toddy trees growing in the Jodi
villages, are farmed out by the Inamdars,
and farmer sells the toddy on his own
account." The Inam Commissioner has, on
8th June 1875, made the following order
in the Settlement Register:—

"The five villages as per Schedule, are
"confirmed on an adinterim Combined
"Quit rent of Rs 182. The five villages
"are subject to all local fund and
"irrigation Cesses. Rights to Sayer, Abkari
"and Forests are reserved."

In the Inam Quit rent Register, however the
said five villages are stated to be entitled
to Toddy revenue. But from the explanation
given in the Inam Settlement Register and
from the order of the Inam Commissioner
dated 18th June 1875, it should be construed
that Toddy Revenue referred to in the Quit-
Rent Register means the rent of the toddy
trees leased to Government farmers for

leaving toddy. It is thus clear that c. Excise Revenue from Toddy has not been conceded to the Jodidars either by Sanad or Inam Settlement. There is no toddy shop in any of the five villages. The shop at Kindiganal, though situated in a rent free tope owned by the Jodidars, is a Government shop as already reported to Government by the Deputy Commissioner, Bangalore District, in his letter No. D107, dated 15th July 1897, a copy of which is on the accompanying file. There are only Date trees in the villages. But on the strength of the late Bangalore Division Superintendent's order No. 32, dated 9th November 1849, which is erroneously based on the Fouzdari obsolete order of 1824, the Jodidars seem to have enjoyed Excise Revenue from Toddy. The said order No. 32 also shows that they had been enjoying it for 35 years even before 9th November 1849. Such enjoyment was clearly unauthorized. The case therefore falls under clause (b) of para 3 of the late Chief Commissioner's Proceedings No. 2917 Rev. 363, c, dated 20th March 1877, based on para 3 of the late Chief Commissioner's Proceedings No. 3697-Rev 30 dated 8th October 1873. In the year 1873 the recipient seems to have been c, Nagappa, who is dead. Therefore the present holders are entitled only during their life time to a moiety of the Excise Revenue of the said five villages, subject to Rules

3rd obj.

4th obj.

2, 5 and 13 in Government Proceedings No.

2074-83 / R.T. 166-92, dated 2nd August 1901.

6. Now in regard to the remaining two villages Ittasandra and Agrahara Vaddarahalli, I beg to state that the C. Fouzdar's order dated 1824 and the late Bangalore Division Superintendent's order No. 32, dated 9th November 1849 do not apply to them as alleged by the Jodidars. This fact has already been reported to Government by the Deputy Commissioner, Bangalore District in his letter No. 1107, dated 15th July 1897. The Inam Settlement Register of Ittasandra shows that according to the account of 1831, this Inam was granted in 1813 by His Highness the late Maharaja and the grantee was Venkamachar; and the Inam Settlement Register of Agrahara Vaddarahalli shows that this village was granted under an order from Fouzdar dated 1816, confirming it under Huzur orders, to Venkata Krishnachar and others on a Jodi of Pagodas 19-1. The Jodidars produced the Nirup of 1816 in which Toddy revenue is not expressed. Vide Jodidar Ramanna's Statement. I concur in the investigating officers' opinion that the Inam Settlement has not conceded Toddy

to these villages. There is no toddy shop in either of them, but there are only date trees. Accordingly 1/5 of the Grove Rent is payable to them from 1892-93 to 1896-97 under Rule 4 in Government Proceedings No 2074-83 / R.T. 166-92, dated 2nd August 1901. From the year 1897-98, the trees were not leased by Government; nor have they been assigned to any particular shops. The investigating officer is therefore wrong in quoting Rule 17. vide objection 3

7. The Superintendent of Inam Settlement says that there is no village designated as "Agrahara Vaddahalli" in the Hoskote Taluk. Therefore the correct name of the village seems to be "Agrahara Vaddarahalli" as per Inam Settlement Registers, and not "Agrahara Vaddahalli" as stated by the investigating officers.

I have the honor to be,
Sir,
Your most devoient servant

[signature]

Extra Commissioner
Indy in Bangalore.

Ee 7.38-02-8(4)

Office Draft. (Docket.)

Mysore Government,
Secretariat, General & Revenue
Excise Branch.

To

The Excise Commr
in Mysore.

Date of passing the draft
Date of despatch 31/3/04

Regd. No. 643
File No. & date (if any) ~~447/1601~~

No. of Encls. —

His letter no $\frac{3618}{163}$ of $\frac{27}{30}$.10.03
submitting the records of
enquiry into the claim
to the Toddy Excise revenue of
of ~~Dalasegere~~ the marginally
noted villages of the Hoskote
Tk, Bangalore Dt.

With reference to the
above has the honour
to request that copies
of the Inam Registers of

1 Dalasegere
2 Siddanahalli
3 Medur
4 Giddlahallipura
5 Hosaveenkatapura
6 Ittasandra
7 Agraharaddanahalli.

23)

enquiry relating to the
villages referred to
above may be for-
warded to this office
for reference at an
early date

By order

for [illegible]

No. 8083/311 Exc 7

Ex. 7. 58-02-3 (5) Office
Bangalore dated 30th April
2nd May. 1904

From

P. N. Ramanya, Esquire, B.A.,
Excise Commissioner
in Mysore

To L. Ananthasami Rao, Esquire, B.A.,
Offg. Secretary to the Government
of His Highness the Maharaja of
Mysore. Genl and Revenue Depts:

Sir,

As requested in your lr: 643/Ex. 7. 16-01 dated 31st ultimo, I have the honor to forward copies of the Jamabandi Registers of enquiry relating to Dalsagere and 6 other villages in the Hoskote Taluk.

I have the honor to be,
Sir,
Your most obedient Servant

N. Gopalacharlu
for Excise Commissioner
&c &c in Mysore

E449 dt 3/5/04

190

Read. 3/5/04.

MYSORE GOVERNMENT GENERAL & REVENUE SECRETARIAT MAY 1904

From P. Venkatasubbiah Esqre, B.A., Excise Commissioner, Mysore.

To L. Ananthasami Rao Esqre, B.A., Offg: Secretary to the Government of His Highness the Maharaja of Mysore. General and Revenue Depts.

Dated 30th April 1904
Despatched 2nd May
Received

General No. 8083
No. 311

Enclosure No. 7

Subject

Forwards copies of the Jamabandi Register of enquiry relating to Dalsagere and 6 other villages in the Hookote Taluk

G.R.S. 26] SR. 131

38 02

E File No. ~~46 07~~

Serial No (7)

Diary No. of letter replied to E 4190 07

No. H 560 Records
~~SR 46 07~~

General and Revenue Secretariat

( )

the 28th July 1904

To

The Excise Commr in Mysore

Date of issue 28th July/04

Signed by M N Krishnarao

His letters nos 3618/163 & 8083/311 dy the 24.10.03 & the 30.4.04 respectively, submitting the records of enquiry relating to the toddy revenue of the Dalasigere and six other villages in the Hoskote Tk.

In returning the records connected therewith for reference and resubmission has the honour to request that he will be so good as to obtain and submit the originals of the following minps which are mentioned in the statement made by Ramanna before

over.

SUBJECT.

Inam claim to the toddy revenue of Dalasigere and six other villages in the Hoskote Tk, Bangalore Dt

213

re S. Venkatarangiengar.

1. The Nimp of 1816 granting the Agrahar Vaddanahally.

2. The Nimp of 1824 given by Inzdar Venkataraja Urs, which is stated to be with the Ds Comrs, Bangalore Dt.

3. The Nimp of 1827 granting Dalasigere and a few other villages.

2. It is also requested that he will state whether the Investigating Officer got the Statement dated the 15/3/89 showing the whole Inam villages of the Bangalore Dt. the holders of which are entitled to tooty revenue. This Statement is attached to the record ordered by the Investigating Officer and does not seem to be quite in accordance with the Inam Registers of enquiry.

List of enclosures.

By order

Mysore 19/7/04

for Ms Secretary

Mysore 19/7/04

Copied by

Examined by 26/7

MGCPB—5,000—20-5-04

Ee-738-02 SVS/31 & Nos D.257/1 (7) S. R. ?

No. 3098 Rev: 1st Branch OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

DATED BANGALORE, 9th December 1905.

From

P. N. Purnaya Esq. B.A.

Excise Commissioner in Mysore. 11 Nov 6/5/12/05

To

B. K. Venkataravadengar Esq.

Secretary to the Government of His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

Adverting to your Docket No H 560 / S.R. 1601 dated 28th July 1904, anent the Inamdar's claim to the Toddy revenue of Dalasagure and 6 other villages in the Hoskote Taluk, I have the honour to submit that the Inamdar Ramanna says that he has not got the orginals of the Nirups called for. Copies produced by him are attached to the records herewith retransmitted

2 With reference to para 2 of your Docket under reply I beg to submit Copy of the Bangalore Deputy Commissioner's No

No A 57 dated 19th October 1905 from which it will be seen that the Statement in question was received from the Inam Superintendent

I have the honour to be
Sir,
Your most obedient Servant
[illegible]
For Excise Commissioner.

1905—1906.

From P. N. Purnaiya, Esq. B.A.

Excise Commissioner,

in Mysore.

To B.K. Venkatavaradangar Esq

Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments.

Dated 9th December 05

Despatched

Received

No. 309

Enclosure No. 14 Packet

SUBJECT.

Submitting Copies of Nimps produced by Ramdas Ramanna of Dalasapri and 6 other Villages in the Hosdurga Taluk with the records retransmitted and also copy of Deputy Commissioner, Bangalore no. A. 57 dated 19th Oct 05

Enclosure to SR 38-02

(29)

1905-6

FROM

The Dy Commissioner

Bangalore Dist

To

The Excise Commissioner in Mysore

Bangalore

Dated 19

Despatched 19 october 1905

Received

General No.

A- No. 57

Enclosure No. 1 bundle of records.

His docket No 5132/153 dated 23rd January 1905.

Adverting to the above has the honour to State that the Statement referred to in para 2 of the Secretary's No 7560 SR 16-01 dated 25th July 1904 purports to be a copy of a Statement prepared in the Inam Superintendent's Office. The orginal Statement received from the Inam Superintendent is not available in this Office and the undersigned would suggest that a reference

ma

may be made to the Inam Superintendent in the matter

The complete file of records is herewith retransmitted with pherist

(Sd) T. Thimboo Chetty

For Dy Commissioner

Office of the Excise Commissioner in Mysore Dated Bangalore, 11th December

Copy

R. Gopalaswamy

For Excise Commissioner.

ii 17-1-06 D.2996
1905-6

From

The Dy. Commissioner
Bangalore Dist

To

The Secy. to the Govt. of Mysore
Gen. & Rev. Depts

Dated 16.

Despatched 17 Jany. 1906

Received.

General No.

8 No. 580

Enclosure No. one.

His N-3C 4279 of 8.1.06.

Forward copy of letter
re the claim of the Shanb-
dar of Dalasipete —
Hoskote Taluk to the Dy
revenue of the villages
as called for

Bangalore District
Dy Commissioners Office

S. No. 580
E-1

Bangalore 16th January 1906

From,

D. Devaraj Urs Esq:
Dy Commissioner
Bangalore District.

To,

B.K. Venkataravadayengar Esq:
Secretary to the Government of Mysore
General & Revenue Departments.

Sir,

I have the honor to forward herewith a copy of this office letter No. D. 107 dated the 15th July 1897, regarding the claim of the Inamdar of Dalasagere and 6 other villages in the Hoskote Taluk to the Toddy revenue of the villages, as called for in your docket No. H. 4279 of the 8th Instant.

I have the honor to be,
Sir,
Your most-Obedient Servant,

for Dy Commissioner.

Letter No.D.107 dated 15th July 1897 from the Deputy Commissioner , Bangalore District , to the Secretary to the Govtl of Mysore.

In reply to your letter No.11815/R.F.58-94 dated 30th June 1897 giving cover to the Comptroller's letter No.7734/557 dated 29th May 1897 regarding the non-payment of arrears of interest &c.,due on the loan of Rs.64,341-7-8 by Nandagudi Ramaiya and others, Jodidars of Dalasagere and other villages , I have the honor to state as follows :-

2. The Jodidars were repeatedly and strictly asked to pay up in time the interest occurring on the loan advanced to them by Government together with the jodi of their villages but they have failed to meet these demands.

3. The following is a statement of the several items of demand against them up to the end of official year 1896-97.

On account of instalments payable in satisfaction of the said loan up to the end of June 1896.....Rs.521/- 2- 0.

--------Do---------- 1897.....Rs.4500- 0- 0.

Total....Rs.9717- 2- 0.

Arrears of jodi up to June 1897.....Rs.1643- 3-10.

Total demand as per statement attached which contains details.....Rs.11,354- 5-10.

4. The jodidars have petitioned to Government to the effect that the toddy revenue of the 7 jodi villages noted in brackets (1.Dalalagere.2.Itsandra.3.Hosa Venkatapura.4.Meduru.5.Geddelhullipura.6.Siddenhally.& 7.Agrahar Vaddahally). and the rental of a toddy shop at Hindiganal for the past 4 years i.e.,from 1893 to 1897, amounting in all to Rs.7420¾ may be set off against the sum due by them,viz, Rs.11,354-5-10.

5. From the records of the Inam Department, however, it is clear that, that Department has recognised the right of the jodidars to the toddy revenue of only five villages,viz, Dalasagere, Hosavenkatapura, Meduru , Giddalhullypura and Siddanahalli, but not to that of the villages of Itsandra and Agrahar Vaddarhalli.

The

The Assistant Commissioner Mr.Cuppusami Naidu who was deputed to investigate the claims of holders of alienated villages , reports that the jodidars have no right to the rental of the Hindiganal toddy shop and of the said two villages . They base their claim on the hukkum of the Fouzdar and the order - of the late Division Superintendent but these documents do - not appear to support their claim. Nor do the jodidars seem entitled by grant or sannad to open a toddy shop. The orders aforesaid contain the indefinite expression " Dalasagere and other villages "(ದಳಸಗೆರೆ ವಗೈರೆ ಗ್ರಾಮಗಳು.) and the claimants would interpret it as including also the villages of Itsandra and Agrahar Vaddarahalli, but it would not be ---- strictly in accordance with the recognised practice of interpreting the sannads and cannot concede inferentially what has not been expressly granted.

7. Hingiganal is a Government village and the toddy -- shop therein is opened on sante days in a rent free tope of that village belonging to the jodidars in question. This seems to form the gound for the claim . But it is scareely necessary to remark that such unreported pretentions for revenue cannot be entertained

8. According to the principal laid down in the Excise Commissioner's letter No.1037/39 dated 30th ~~Augst~~ August 1894, addressed to the Deputy Commissioner of Tumkur. Copy of which is attached, 1/3 of the net toddy revenue of the villages of Itsandra and A-Agrahar Vaddarhalli may be given to Jodidars on account of their proprietory right of trees , since they are not entitled by sannad or grant to the toddy revenue thereof.

9. In the year 1896 Rs.3788-14-0 were under the authority of Government Proceedings No.9283-92/Ex.280 dated 8th April 96 debited from the toddy revenue of the said jodi villages and - credited towards the loan account. Vide this Office No.215 dated 26th August 1896. The item for the years 1895-96,1896-97 yet remains unadjusted . Should the Government be pleased to order payment in advance subject to the conditions named in the Govt. Proceedings above mentioned, adjustment will be made as in the

preceding year.

10. As the jodidars have violated the terms of the contract they entered into with the Government and failed to pay up regularly and punctually the instalments of principal and interest on the loan, and as it has never been practicable to realise the just dues of Government from them without much avoidable trouble and coersion , I am more than ever confirmed in the recommendation made in my letter No.215 dated 26th August 1896, that it is expedient for the Government to take over the management of the villages till the Government loan is liquidated. a sufficient sum for their maintenance being allotted to them. Their impecuniosity has become hopelessly chronic in more directions than one, and I do not see any other means of protecting the interests of Government . Even joda is not paid, and their tenure is liable to be forfeited.

"Copy".

for Deputy Commissioner ,

B.N.S. Bangalore District.

G.R.S. 26]

File No. 38-92

Serial No. 828

Diary No. of letter replied to 2996.

No. H 5961

General and Rev. Secretariat
(Sel: Rev:)
, *the* 17-3-1906.

To

The Superintendent of
the Inam Settlements.

Date of issue -do-

Signed by W Sahjwani Chetty

Sir,

In reference to the claim to the toddy revenue of the inamdars of inted Inam villages in the Nandigudi hobli of the Hosakote Taluk, I have the honor to point out ~~that in the case of Inam~~ ~~than the toddy revenue was conceded to the Inamdars during the time of the Inam Settlement in 1874,~~ that the names of the first five of these villages ~~seem to~~ appear in the list of the Inam Deptt: issued in 1889 showing the names of the Inam villages the owners ~~thereof~~ whereof

1) Dalasigere
2) Giddahalli.
3) Siddanhalli.
4) Medura.
5) Hosakotakabajara
6) Illsandra.
7) Agrahara Naddahalli.

over.

SUBJECT.

are entitled to the Increase revenue, while the last two are omitted

2) I am to request you therefore to be so good as to explain the significance of these said five villages appearing in the list of 1889 & the reason, if any, why the remaining two villages do not so appear in therein, and to state upon what the entries in the Inam Register are based -

4). A very early reply is solicited

3) The Inam title deeds of these seven villages may be kindly forwarded for reference.

Secretary. 7.3.1886

K.S. 28/2/06.

5.3.06.

List of enclosures,

Copied by

Examined by

MGCPB—20,000-19-12—04.

D. 4125

Desp 614 — 1906

From

The Superintendent of Indian Settlements in Mysore

To The Secretary to the Government of Mysore General & Revenue Departments

Dated 5th
Despatched 5th } April
Received

General No.
No. 110

Enclosure No. Nil

Reporting on the claims of Inamdars to Toddy Revenue on Dalasagere &c Villages of the Hoskote Taluk.

No. 110.

Inam Superintendent's
Office
Bangalore 5th April 1906

To,

The Secretary to the Government
of Mysore
General and Revenue Department

Sir,

With reference to your
letter No. R. 5961
S.R. 38-02 dated 17th March 1906
I have the honor to state that in all
the villages except Kayemgutta Ittaa =
= Sondra, out of the seven villages
noted in the margin of the above,
the Inamdars have been mentioned
as having a right to Toddy Revenue;
The Assistant at the time of Inam
Inquiry based his decision on the
authority of an order from Sowdar
dated

dated 1824 authorizing the Joodidars to raise Toddy trees and sell it in Hundiga=-nalu and also as per Enjoyment. But the Inam Commissioner at the time of the settlement has remarked "Sayer Forests and Abkari are reserved". The term Abkari in this instance must certainly mean Arrack.

2. In the list of 1889, the names of only Dalasigere, Goddiahalli pura, Siddan=-halli, Medura and Hosa Venkata=-pura appeared while that of Agrahara Vaddahalli was left out by mistake.

3 In Ittasandra Village, the item of Toddy revenue was not enquired into as it was a Kayemgutta Village and the Inam Commissioner has reserved the item as in all other Kayemgutta Villages.

4. It will take time for the Title=-deeds to be got from the parties.

Honerer

However the Amildar has been written to to send them, and on receipt that will be submitted to Government.

I have the honor to be,
Sir,
Your most obedient Servant

D Tant
Superintendent of Quam
Le Almeida in Mysore

G.R.S. 26]

File No. 38-02
Serial No. 11

Diary No. of letter replied to 4125

No. 7343

General and Revenue Secretariat
(S.R.)
, *the* 2-8-1906.

Date of issue do

Signed by Mr Park Kerishnan

To
The Supdt of the Inam Settlements in Mysore.

Sir,

In reference to the Correspondence ending with your letter, no: 113 of the 17-4-06, forwarding the title deeds of the Inam villages of Balaiyan & 6 other villages in the Hoskote Tk, I have the honor to request you to be so good as to state whether the Taddy Revenue has been mentioned in the Quit-rent Registers as having been conceded to the Inamdars.

I have &c:

28-4-06
Secretary.

over.

SUBJECT.

Inam
Settlement
- 29/4

11 June 1906

S.4770

From The Superintendent of Inam Settlement in Mysore

To The Secretary to the Government of Mysore Genl & Rev. Depts.

Dated 11th
Despatched 12th } May 1906.
Received
General No.
No. 124

Enclosure No.

In reply to his letter No. Fl 7343 / Exc J 38-02 dated 2nd May 1906, has the honor to state that the item "Joddy" was omitted in the Quit Rent Registers by mistake.

J D Lunt

Supt. of Inam Settlt. in Mysore

38-02

G.R.S. 26]

File No.

Serial No. 13

Diary No. of letter replied to 4125 / 4770.

No. H 8715

General and Revenue Secretariat

(Sel: Rev:)

the 22-6- 1906

Date of issue do

Signed by W. M. Bourchier

To

The Excise Comr.

Sir,

In returning herewith for reference & resubmission the enclosures of your letter No: 309 of the 9th Dec 05, relating to the claim of the Inamdars of Dalsingi & 6 other villages in the Gandigudi Hobli of the Hosakote Taluk to the Toddy Rev: of the villages, I am directed to request you to be so good as to State the

over.

SUBJECT.

Exact circumstances
under which the shops
were closed in 1884 & th
forward a copy of
the order directing
their closure, of the
shops together with all
other connected papers.

I have the &c:

Secretary

K.S.
15/6/05.

List of enclosures.

Copied by 16.

Examined by

MGCPB—30,000—16-2-05

3170

G.R.S. 26]

File No. 38-02

Serial No. 14

Diary No. of letter replied to _____

No. H 3071
& 30th Oct 06

General and Revenue Secretariat
( )
the 30th Oct 1906

To
The Excise Commissioner
in Mysore

Date of issue do

Sir

Signed by W. S. Krishnaiah

Adverting to this office
H
no. 8715 dy 22-6-06 re the claims
of the Inamdars of Dalsigere & 6 other
villages in the Nandigudi Hobli
of the Hoskote Taluk to the toddy
revenue of the villages I am
directed to request you to be so good
as to furnish the information
called for therein at an early
date

I have &c
Mud 20/10/06
for Secretary

over.

SGR 29.10
ASR 15.10.06

SUBJECT.

D5591 J.12

SR 38-02-SL (15)

No. 4681 met OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

DATED BANGALORE, 19th June 1907.

From

P.N.Purnaiya Esquire, B.A.

Excise Commissioner in Mysore.

To

C.S.Balasundram Iyar Esquire, B.A.

Secretary to the Government of His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

Adverting to your letter No.Fl.8715/S.R.38-02-13, dated 22nd June 1906 relating to the claim of the Inamdars of Dalsigere and 6 other villages in the Nandagudi Hobli of the Hoskote Taluk to the toddy revenue of the villages and enquiring the circumstances under which the shops were closed in 1884-85, I have the honor to submit copy of docket No.A222 dated 22nd May 1907 and the connected files of vernacular records received from the Deputy Commissioner, Bangalore District, from which it will be seen that the shops were ordered to be closed on a complaint from the Government Contractors. Copy of the Government order directing the closure of the shops is also in the file.

I have the honor to be,

Sir,

Your most obedient servant

Excise Commissioner

in Mysore.

B.R.

Enclosure to SR 15 SR 38-02

(4F)

From

H.H.Sparkes Esquire,

Deputy Commissioner

Bangalore District.

To

The Excise Commissioner
in Mysore.

Dated 22nd May 1907.

No. A 222. (En: 1 file of papers).

His Official Memorandum No.643, dated 23rd June 1906, forwarding copy of Secretary's letter No.Fl 8715/ S.R.38-02-3 dated 22nd June 1906, requesting to inform the exact circumstances under which the shops at Hindignal and other villages of the Jodidar of Nandagudi were closed in 1884-85, and to forward a copy of the order directing their closure &c,.

--------&&&&-------

Adverting to the above, has the honor to state that the shops at Hindignal and other villages of the Jodidar were closed as per Government Proceedings No.C camp Mysore, dated 7th November 1884.

The file of records received with the above, and copy of the said Government Proceedings No.c dated 7th November 1884 together with all other connected papers are herewith submitted as requested in the above.

(Signed) T.Royalu Chetty
for Deputy Commissioner
Bangalore District

"Copy"

Excise Commissioner
in Mysore.

B.R.

D3206

S.R. 38-02-16

To,

The First Councillor,

The Government of His Highness

The Maharaja Of Mysore,

B A N G A L O R E.

Most Respected Sir,

We, the undersigned, Seenappa and Hanumantha Rao, Inam Jodidars of Siddanahalli, - Dalasagere, Hosavenkatapura, Gehthanahallipura Medur, Waddahalli & Ittasandra, Hosakote Taluk, Bangalore District, most respectfully beg leave to approach your honour, with the following our grievances for redress at your generous hands.

The above mentioned villages were graciously granted to our grand-father, Venkatakishniah as Jodi Inam by the late Sree Krishna-Rajendra Wodayer Bahadur, Maharaja of Mysore, and at the same time another order was also granted by Fowzdar as per orders of the late Highness - with the understanding that, date-trees to be grown in the said villages, to extract toddy from them, to arrange for toddy shops in the said villages - as well as in the Hindiganal Fair and with the sale proceeds of the toddy thus realized to pay the Jodi to the Government and to enjoy the balance ourselves.

After enjoying the said grant for several

several years undisturbed, some disputes arose about the same, then the Division Superintendent, Chif Commissioner and Inam Commissioner and several other officers held enquiries and have passed orders establishing our rights for the same. - Almost all the records refering to the above facts have been submitted to the Excise Commissioner for reference.

A hearing was promised to us by the Excise Commissioner but subsequently we were told that the matter has been referred to the Government.

Under these circumstances we most respectfully and humbly beg to request your honour will be gracious enough ~~us~~ to grant us a hearing with the records already filed and yet to file for your honour's kind perusal before passing the final orders.

For which act of kindness and justice, we, your honour's humble petitioners shall feel ever greatful.

We beg to remain,

Most Respected Sir,

Your most obedient & humble servants,

24th February 1908.

(59a)

59

Through the Secretary, Genl & Rev. Deptt.

D4320

S.R. 38-02-17.

To,

T. Ananda Rao, Esquire, B. A.

1st Councillor, to the Government

of His Highness the Maharaja of Mysore,

B A N G A L O R E.

The humble petition of Seenappa and Hanumantha Rao, the Jodidars of the villages, viz, Dalasagere, Siddanahalli, Medure, Vaddahalli, Hosavenkatapura, Geddanahallipura, Etsandra and Hindiganad fair with its Toddy shop, to establish the right of the Toddy trees and shops in their Jodi villages.

The above named Jodidars most humbly and respectfully showeth:-

That they claim their right to the Toddy trees and shops in their villages under the authorities quoted below and discussed in order one after the other just to make the points clear on the very face of them.

2. That in the year 1824 a Sannad was graciously granted to our grand-father Venkatakrishnayya by Fouzdar Venkatraje Urs with kind permission of His Highness the late Maharaja Sri Krishnaraja Wodayar Bahadur, K.G.C.S.I., for the services rendered by our grand-father. The Sannad permits us to rear Toddy trees at our cost and to enjoy the profit -- by selling Toddy in the shops in our villages and

in Hindiganad-fair.

3. That in accordance with the Sannad we made the Jodi villages very fertile and productive, rearing Toddy trees in particular, at an exorbitant cost and labour. - The then Amildar of the Taluk being very jealous of the rich income consequent upon the fertility of the land - and luxuriant growth of Toddy trees reported to the Government an attachment of the villages as they were very productive. On our grand-father's appeal to His Highness the late Maharaja in the same matter, His Highness the late - Maharaja graciously granted us in another of his Sannad, in the year 1827, the full enjoyment and possession of the same villages, preserving the same provisions as setforth in his last Sannad, with a little increment in the Jodi to be paid to the Government by us as they yielded now more than before.

4. That in the year 1838 the right of sale of Toddy was confirmed to us by the late Divisional Superintendent Mr. Mackareth in his order No. 238 in accordance with the verdict of the jury which was then formed for the purpose.

5. That on the Toddy contractors' complaint in 1845 that they would be put to loss, if the Hindiganad-fair Toddy shop was excepted, while they took the contract for the whole province, an order No. 149 of the Divisional Superintendent confirmed us the sale of Toddy in our shop at the fair as the Toddy sold there was extracted from the trees grown by us in our Jodi villages.

6. That in the year 1849 when the Government reserved for itself the whole produce of Toddy in the Province for 2 years, the Government gave us the income of two years of our Toddy shops in the Hindiganad-fair on our application for

the

the same and a receipt was also obtained by the Government for money so paid to us. This pertains to the order No.32 of the Divisional Superintendent.

7. That for four years successively from 1857-to 1860 the Divisional Superintendent has issued Pattas to the contractors to the effect that the produce of the Toddy shops in our Jodi and Khayamgutha villages and in Hindiganad-fairy belongs to us. The papers relating to the above are filed with the records.

8. That muchalikas in stamp papers have also been given to us by various contractors for having taken the - Toddy contract from us in the years 1864, 1867, 1868,1871 1879 and 1881. The said muchalikas are also filed with the records.

9. That there are also 23 letters in all filed with the records which pertain to the discussion between Amildars and Deputy Commissioners as to the right of owner-ship of the Toddy trees and shop in our Jodi villages and Hindiganad-fairy. In each of the letters they conclude that we are the rightful and legitimate owners.

10. That an extract has been granted to us by the Superintendent of Inam Settlement establishing our right to sell Toddy on our own account after taking the account of - income we had for the previous 10 years.

11. That when Mr. Niligiri Papanna took the Toddy contract of the province for five years from 1885 to 1890, just to determine what amount we are to be paid by the contractor for our shops and trees in our Jodi villages, the Deputy Commissioner Mr. Mecantire has issued an order to the Amildar to settle and report the amount payable to us by means of bringing the Toddy trees to sale again and knocking-

the same to the highest bidder. Thus the amount to be paid was fixed and the same was reported to the Deputy Commissioner.

12. That in the years 1891-92 when Sowcar Mr.Niligiri Papanna took the Toddy contract of the Whole Province we had also to give the contract of our Toddy shops to the same -- person in accordance with the Government proceedings. As we did not receive our share of the amount from the contractor we petitioned the Deputy Commissioner on the matter. The Deputy Commissioner decided on 21-12-95 that our share of money - Rs.1,800/- should be paid by the contractor. On his appeal to the Government that the money we claimed was excessive the Government decided that we should be paid Rs.1,118-0-11 as we are the proper claiments for the same. We received the sum from the contractor.

13. That the deposition of Bestha Narayanappa on 12-2-92 before the Amildar of Hoskote Taluk convinces that he got the Toddy extracted from our Toddy trees in our Jodi villages and sold the same in our shops at the Hindiganad-fair, being himself on behalf of the contractor Mr. Papanna during the time of his contract.

14. That when in the year 1894 we were granted a loan by the Government our right of enjoyment of the Toddy income in our Jodi Villages was inquired into and the fact was also approved of by the then Excise Commissioner Mr. McDonald. Late Sir K. Seshadri Iyer, K. C. S. I., Dewan of Mysore has also setforth in his proceedings that our Toddy income of our Jodi villages should be appropriated towards the liquidation of the loan.

15. That successively from 1893 to 1897 when our Toddy trees in our Inam villages were knocked down to the bidders - during the sale, the Government has paid us an advance of -- Rs.7,800/- and odd being only a part-payment for the value

to be received.

16. That when we approached the Deputy Commissioner (from 1893 to 1899) with the request that our Toddy shops in our Inam Villages should be brought to sale an order - No. 37 dated 24-2-1900 has also been sent to the Taluk - Amildar by the Deputy Commissioner in fulfilment of our request. The copy of the said order is with us.

17. That, previous to this petition we have also submitted one on 24-2-1908 for your kind consideration.

18. That recently in the Mysore Gazette dated 16-4-08 the full right of Toddy trees and shop of Khayamguthadar of Hyaknur, T. Narasipur Taluk, Mysore District has been established, which can be cited in our favour in addition to the aforesaid grounds.

That in conclusion your humble petitioners pray Your Honour will kindly peruse the Dakhalas of the last 84 years, showing the full right and enjoyment of the Toddy trees and shops mentioned above in their Inam Villages, confirm their rights established by the above said facts and thus relieve them from their present misery.

For which act of kindness we shall, as in duty bound, feel ever grateful.

Bangalore.

9th May 08.

P e t i t i o n e r s.

Enclosure to SL 1/SR 3D-02

(55)

(58)

Enclosure to SL 1/SR 3D-02

2 Draft

G.R.S. 26]

File No. 38-07

Serial No. 18

sl 18

Diary No. of letter replied to 4320 Sus 200 m

Enc petn with letter No. H 6295 dt 2nd June 08 in triplicate

General and Revenue Secretariat

(S. R

, the 190

To

The Senior Collr in Mysore,

Date of issue 2nd June 08

Signed by

Sir,

With reference to the Correspondence ending with your letter, No: 1-681 dt the 19th June 1907, on the subject of the claim of the Inamdars of Dalasigere + 6 other villages in the Hosakote Taluk to the Sadder revenue of the villages, I am directed to forward herewith (in original to be returned when replying) a petition of the

over.

SUBJECT.

57

9th May 1908, received
from the Chandavar Seenappa
& Hanmanthappa, together
with all the papers received
from your Office from time
to time, for examination
& report, at a very early
date, as to the extent,
if any, to which the statements
contained in the petition
under reference confirm or
modify the opinion furnished
to put by Mr. P. N. Purnaiya in the matter.
2) If necessary, the
petitioners may be given
a hearing.

4320

I have &c.

In Septet.

List of enclosures.

K.S.
28/5/08.

Copied by

Examined by

MGCPB—30,000—16-2-05

Draft.

5 5

G. S. R. / 3206 & 4320.
38-02

MYSORE GOVT. GEN. & REV. SECRETARIAT,

Dated, Bangalore, 2nd June 190 8

No H 6296
S.R 38-02-19.

ENDORSEMENT GRANTED TO Sernaphha and Hanmanthappa Inamdars of Dalavigue & other villages in the Nandagudi Hobli of the Hosakote Taluk

in reply to their Petition Registered Nos 3206 & 4320 dated the 14.2.08 & 9.5.08 respectively regarding their claim to the toddy Sheist revenue of their villages

Petitioners are informed that their petition of the 9.5.08 is sent to the Sheist Court with all the papers placed on record for enquiry & report & is pointed out to them that it is irregular as their petition should have been addressed to the (Mr. T. Anandarao) Member in charge of Rev. Dept. by name instead of the Secy to Govt. in the usual course.

By Order,

No H 6297 2nd June/08

Secretary.

Copy to the Sheist Court in charge of today's letter No: H 6295 S.R 38-02 for information.

M.S. 28/5/08

25/5/08

To

V. P. Madhava Rao, Esquire, C. I. F

Dewan of Mysore,

BANGALORE

The humble petition of Seenappa and Hanumantha Rao. Jodi Inamdars, Nandagudi Hobli, Hosakota Taluk, Bangalore District, Most Respectfully Showeth:-

That your Excellency's humble petitioners respectfully beg to state that the Government of His Highness the Maharaja of -- Mysore, were kind enough to take charge of the management of all the Jodi Inam villages of the petitioners, discharging their debts incurred by the petitioners on the said villages, with a view to protect them from any further down fall. Since that time the petitioners are subjected to great difficulties.

That the petitioners further beg to state inspite of their repeated prayers, the Government were not kind enough to settle their claims of Toddy Revenue, for the past 20 or 25 years, and yet the matter is pending before the Government for disposal

That the petitioners are placed under such miserable condition which has made them unable to get the lands fertilised and enjoy the produce, the lands which were attached and sold in auction by the Amildar of Hosakota Taluk five years ago and which Your Excellency has graciously set aside the proceedings of the Amildar and restored the lands to the petitioners Further the petitioners are obliged to perform the marriages of their four daughters who are already at their teens, at the earliest possible time, for which also the petitioners are want of funds.

G.R.S. 26]

Request
Reminder
1/6/09

File No. 38 (61) 2
Serial No.

Diary No. of letter replied to 2891

No. X 3844
24-2-09

General and Revenue Secretariat
(SR)
, *the* 190

To The Excise Comr
in Mysore

Date of issue 24-2-09

Signed by for Secretary to Govt.

Sir,

I am directed to enclose herewith a letter from the Collector of Bangalore bearing No. X 6295-SR. 38-02-18 dated 2/6/08 and endorsement No. X 6297-SR 38-02-19 dated the same date, calling for some information regarding the claims to the toddy farm of Doddajigere and Sir

over.

The last reminder was issued on 12/4/09 6644.

SUBJECT

of the Villages of
Hoskote Taluk
and to request that
you will be so good
as to expedite the
submission of the
report, as the case
is long pending & the
ryots and others
have been waiting
for the grant of
advances.

I have &c

Sd

Forbes

List of enclosures.

True Copy

20/2

Copied by 20/2

Examined by

MGCPB—30,000—16-2-05

G.R.S. 267

Reminder

File No.

Serial No

Diary No. of letter replied to 2891

No. H 7723

General and Rev. Secretariat

( )

the 190 .

31st May 09

To

Dear Sir,

Please allow me to invite your attention to this office letter no H 6295 of 38 02 dtd 2nd February 1906 and subsequent reminders thereto regarding which no H 6645 of 12th April 1909 is still awaited for your

over.

Date of issue 31 May 09

Signed by [illegible]

SUBJECT.

Copied G.R. 1/6.

Report on the Claims of the Macedonians to the Cession of Delagoa Bay & thirteen villages, Komkulu Kalelu, Pilanesberg District of the Rustenburg District

The question has been pending for over 6 years & it is indispensable that it should be delayed any longer. I shall therefore be obliged by your submitting the Report called for by Govt

Yours truly

List of enclosures.

Copied by

Examined by

MGCPB—20,000-19-12—04.

Excise Commissioner's Office,

No. 10032 Dated, Bangalore 5th May 1909.

From E. I

H. H. Sparkes, Esquire,
Excise Commissioner
in Mysore.

To

K. S. Chandrasekhara Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Depts.

Sir,

In reply to your letter No. Fl.7123, dated 3rd May 1909 calling for a report on the claim of the Inamdars to the toddy revenue of Dalsigere and six other villages, Hosakote -- Taluk, I have the honor to submit herewith a copy of docket No. 9449, dated 17th April 1909 to the Deputy Commissioner, - - - Bangalore District, and to state that the investigation records will be submitted as soon as the information required is received from the Deputy Commissioner.

I have the honor to be,
Sir,
Your most obedient servant,

Ramanna

for Excise Commissioner.

From

The Excise Commissioner

in Mysore.

To

The Deputy Commissioner,

Bangalore District.

Dated, Bangalore, 17/19-4-1909. No.9449.

Has the honor to invite reference to this office docket No.8750, dated 27th March 1909, calling for certain records in connection with the Inamdar's claim to the Excise revenue from toddy of Dalsegere and six other villages in the Hosakote Taluk and to request that the same may be submitted without further delay.

(SD) B. Shamanna.

for Excise Commissioner.

' Copy "

B Shamanna

for Excise Commissioner.

1909.

No. 190

Name of Petitioner, Seenappa & Govindia

Village, Hindigual

Taluk, Hoskote

District, Bangalore

Date of Arzi, 12th May 1909

Date of Receipt, —— Do

Date of disposal,

No. of Enclosure,

ABSTRACT

Petitioners a
the Joidars of
Hindigual and
other Villages in
the Hoskote Tk.
and their claim
to toddy revenue
is pending decision
Meanwhile, they
represent that
out of a sum
of Rs 10,170 —
realized by the
sale of their

Mr Mouneden
(with Compts.)
for Letter
12 May 09

Branch II

Please let me know
how this case stands
& whether the claim
now made is
independent of
the settlements
of the rights of the
Inamdar to toddy
revenue
early please

KWN
12/5/09

oddy groves between
the years 1892 and
1896, only Rs 6670
have been advanced
to them and as it
is difficult to main
tain the family in
these famine times
they by that the
balance of Rs ~~66~~
3500, with interest,
may also be ad-
vanced to them -

892
12 5.09.

No 190

In person
12.5.09

ਫੈਸਲਾ ਨੰਬਰ ..... ਮਿਤੀ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਦੀ ਮਿਤੀ .....

ਫੈਸਲਾ ਲਿਖਣ ਦੀ ਮਿਤੀ .....

ਫੈਸਲਾ ਲਿਖਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦੇ ਦਸਤਖ਼ਤ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦੇ ਦਸਤਖ਼ਤ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਨਾਮ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਅਹੁਦਾ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਦਫ਼ਤਰ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਪਤਾ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਫ਼ੋਨ ਨੰਬਰ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਈਮੇਲ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਫੈਕਸ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਮੋਬਾਈਲ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਵਟਸਐਪ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਸਕਾਈਪ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਜ਼ੂਮ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਗੂਗਲ ਮੀਟ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਮਾਈਕ੍ਰੋਸਾਫਟ ਟੀਮਜ਼ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਵੈਬੈਕਸ .....

ਫੈਸਲਾ ਸੁਣਾਏ ਜਾਣ ਵਾਲੇ ਅਫ਼ਸਰ ਦਾ ਹੋਰ ਕੋਈ ਵੀਡੀਓ ਕਾਨਫਰੰਸਿੰਗ ਪਲੇਟਫਾਰਮ

Excise Commissioner's Office,

Dated, Bangalore, 11th May 1909.

No. 10296
E: 1

From

H. H. Sparkes, Esquire,
Excise Commissioner
in Mysore.

To

K. S. Chandrasekhara Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Depts.

Sir,

In continuation of this office No. 10032 dated 6th instant I have the honor to forward copy of letter No.1367, dated 5/11th May 1909 and to state that the records of investigation will be submitted as soon as the same are received from the Deputy - - Commissioner.

I have the honor to be,
Sir,
Your most obedient servant,

for Excise Commissioner.

From

The Deputy Commissioner ,

Bangalore District.

To

The Excise Commissioner

in Mysore.

Dated 5/11th May 1909. No.1367.

With reference to his docket No.9449, dated 17-4-1909, calling for certain records in connection with the Inamdar's claim to the toddy revenue of Dalasagere and six other villages in the Hosakote Taluk, has the honor to intimate that necessary report in the matter has been called for from the Amildar of the Taluk the result of which will be communicated in due - - course after receipt of a reply from him.

(SD) J.E.Rozario.

for Deputy Commissioner.

Bangalore District.

" Copy "

for Excise Commissioner.

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ಎಸ್.ಸಿ 38-02 ರಲ್ಲಿ 27ನೇ ಅಡಿಷನಲ್

[redacted]

No 6268
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conty: records

D2915

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 26th January 1910.

21.

From

" H. Sparkes Esquire,

Excise Commissioner in Mysore.

To

C.S. Balasundram Iyer Esquire, B.A.,

offg Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

Adverting to correspondence ending with your Memo No. Fl.7653-S.R.38-02, dated the 27th May 1909, regarding the claim of the Inamdars to the Excise revenue from toddy of Dalasagere and six other villages in the Hoskote taluk of the Bangalore District, I have the honor to state that since Government have desired for a detailed report in the matter, the case has to be gone into in full. Besides, the Inamdars have since produced certain original Nirups and the nature of the case appears to be such as to require an exhaustive review of the whole records.

Forwarded copy of an extract from the Diary (illegible)

2. The claim is in regard to the following villages and Santhe, shop:-

1. Agrahar Vaddarahalli.
2. Ittsandra
3. Dalasagere.
4. Siddanhalli.
5. Medur.
6. Geddalahallipura.
7. Hosa Venkatapura.
8. Hindiganal Santhe.

At

D2915 S.R.

From

H. H. Shankes esquire

Excise Commissioner in Mysore.

To

C. S. Balasundaram Iyer Esqre
B. A.,

Secretary to the Government of
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated 26th January 10

Despatched

Received

General No. 6268

Enclosure No. 1 (packet contg. proceedings)

SUBJECT.

Re: the claim to the toddy Excise Revenue of

1. Agrahar Vaddarahalli
2. Ittsandra.
3. Balasagere.
4. Siddanahalli
5. Medur.
6. Geddalahallipura
7. Hoza Venkatapura
8. Hindiganahal Sante

by the Inamdars.

GPB—2,000—31-7-09

At present there are no toddy shops in any of the said villages but the Hindiganal Santhe shop is worked in a rent free tope belonging to the Inamdar but situated in the Government village. Date trees, more or less, are reported to exist in all the seven villages.

3. Taking the deeds of alienation we have in the first place the copy of the stone inscription in front of the Sri Lakshmi Narayanaswami temple in Agrahar Vaddarahalli village. This Sannad is dated Vikriti, Salivahana Saka, 1452 correspond--ing to the English year 1529. It purports to have been issued by Veerappa Naik and Dasappa Naik, Dalapathi of Atchyutaraya Krishnarayaru and confers on Somanatha Dikshithar the village of Vaddarahalli as Ekabhogya Sarvamanyam. It entitles the alienee to all items of Suvarnadya and Dharnadaya. In the next place we have the Nirup dated 1816 of Fouzdar Lingarajaiya Arsinavaru to Hoskote Amil Biligiraiya. This order traces the history of the alienation of the village and shows to a certain extent when the Sarvamanyam tenure was converted into that of Jodi. The hukum finally confirms the alienation of the village on a jodi of 19-1-0 P.F.V. There is no reference either to toddy revenue or to any other revenue or even to the beriz of the village. It simply says that the village should be continued as there-to-fore on the aforesaid jodi

4. In regard to the alienation of Ittsandra it is said that this village was granted on Kayamgutha tenure by Thimmapparaje Urs in 1830-31 in conformity with the order dated 1821 from His Higness the late Maharaja Sri Krishnaraja Wadayar III. Neither the order of 1821 nor that of 1830-31 is forthcoming. But from the remarks made in para 12 of column 11 of the Inam Register of enquiry of this village, it would appear that the alienation on Kayamgutha tenure is fully authorised. No information is available as to whether there was any toddy revenue in the village at the time of alienation and whether any such revenue was included in the Kayamgutha amount. Nor is there any reference to say whether or not the Kayamguthedar was conceded the right of vending toddy in his village by the instruments of alienation.

5. Next comes the Nirup dated the 7th September 1822 from His Highness the late Maharaja Sri Krishnaraja Wadayar III to Fouzdar Venkatarajaiya. This order grants on Kayamgutha tenure, subject to "Shraya" for the first three years, the villages of 1.Dalasagere, 2.Siddanahalli, 3. Medur and 4. Geddalanallipura. From the contents of this hukum it will be seen that the Kayamgutha amount of Pagodas 361-1-8 was the ne plus ultra of the revenues and was far in excess of the jamabandi of any one year from 1799. Consequently the villages were given on "Shraya" for the first three years and after that period the Kayamgutha amount

was

was increased by a lumpsum of 30 pagodas. In this document there is no specific reference to any revenue much less to toddy revenue but the Inamdar is authorised to appropriate to himself any revenue derived in excess, A Nirup of the same date to the same effect was given to the Inamdar Amil Venkatachelliah himself. It may be observed here that at the time of alienation there was no toddy revenue in these villages.

6. The authenticated copy of the order dated the 23rd December 1824 written by Fouzdar Venkatarajiah Urs to Maji Amil Venkatakrishniah is the most important document. It refers to a petition from the Inamdar complaining that the amount to be paid to Government is very high, that in spite of his efforts and even after spending much over improvements he has not been able to realize a profitable revenue and that he may be permitted to rear toddy-yielding trees and sell toddy in the villages granted to him as well as in the Hindignal Santhe organized by him. In reply he was told that as there was the Huzur Hukum to derive and enjoy any kind of revenue from the villages there was no objection to his getting a revenue as prayed for by him. In the preamble of this document the words used are "Dalasagere Vagaire". It, therefore, follows that the order of 1824 should evidently refer to the Nirup of 1822 and not to that of 1816 relating to Agrahar Vaddarahalli or to the Sannad of 1821 relating to Ittsandra. The document of 1816 has no reference to the Jodi amount being high

or low and that of 1821 is not to be had. It is in the Nirup of 1822 only that the assessed beriz of the villages as well as the revenue derived are discussed and the deficiency of the income over the estimates is given. There cannot be any doubt, therefore to conclude that the document in question should relate to the villages referred to in the Nirup of 1822. The Inamdar has, there-fore, been generally permitted by the Nirup of 1822 to derive toddy revenue in the four villages of Dalasagere, Medur, Siddanahalli and Geddalahallipura and specifically by the Fouzdar's order. The latter document further empowers the Inamdar to sell toddy in Hindignal Santhe which was organized by the Inamdar himself. Another fact elicited by ~~the~~ this document is that there was no toddy revenue in the aforesaid four villages at the time of alienation.

7. Next in order comes the Nirup dated the 26th April 1827 to Hoskote Amil Rama Rao. This order narrates in detail the circumstances under which the four villages referred to in the Nirup of 1822 were attached and confirms the alienation of the said four villages together with Hosa Venkatapura on a jodi of 500 pagodas. As in the Nirup of 1822 the Inamdar is said to be entitled to all revenue that may be derived in excess of the jodi amount. The contents clearly indicate that this order is for the release of the attachment and not for restricting any right conferred by

by the Nirup of 1822. Besides the beriz of the villages for the year Parthiva is given in this order. This beriz must evidently include all toddy revenue or would have included such revenue, if any, derived by the Inamdars previous to and in that year. As the jodi amount was increased and no restriction as to the exercise of any right is mentioned therein, it follows that the Inamdar's right to the Excise revenue from toddy has not been reserved to Government by this Nirup. Whatever rights were conferred by the Nirup of 1822 those are preserved in tact by the Nirup of 1827. As the Nirup of 1822 is explained by the Fouzdar's order of 1824 to include the right to the toddy revenue, the Nirup of 1827 must also be construed to have conferred on the Inamdar the same right. As was said above, the object of the Nirup of 1827 is not to restrict the rights conferred by that of 1822 but to release the villages from attachment and to fix an increased gutha amount. This view of the case is supported by the mention of the Nirup of 1827 and the order of 1824 in column 11 of the Inam register of Enquiry of Dalasagere village and the decision based on these documents of the then Inam Assistant Mr. V.N.Narasimha Aiyengar.

8. The order No.112. dated the 10th August 1834 of Babu Rao Fouzdar of Bangalore, an unauthenticated copy of which is filed in the records, has no reference to the right of the Inamdar to the Excise revenue from toddy but gives a deduction of

from the jodi of 500 pagodas on account of Kodigi Inam.

9. The last document in this series is the order No.32, dated the 9th November 1849 of Captain Haines, Superintendent Bangalore Division, an authenticated copy of which is filed in the records. This Hukum narrates the previous references in regard to the enjoyment by the Inamdar of the Excise revenue from toddy of his villages and directs that such enjoyment should be continued. It further reiterates the right of the Inamdar to the Hindignal Santhe shop.

10. Coming to the second subject, namely, decisions at the Inam settlement we find that in the Inam register of enquiry of Agrahar Vaddarahalli village the then Inam Assistant Mr.V.N. Narashma Aiyengar who as Deputy Commissioner reported on the claim in his letter D.No.107, dated the 15th July 1897, has remarked as follows in column 19:-

"3. The items of sayer and abkari are reserved to the State as well as the Forest rights. The Inam is moreover liable to the local Fund and irrigation cesses".

"4. In this village and in certain other villages owned by No.1 he enjoys the privilege of extracting toddy from the date trees and of vending it without license. In support of this privilege he produces an order dated 1824 from the Bangalore Fouzdar, and three orders from the Superintenden of the late Bangalore Division, No.238 of 1838, No.149

of 1845 and No.32, dated 9th November 1849. By para 4 of the Chief Commissioner's order No.3697-30, dated 8th October 1873, the privilege is continued to all holders of Inam villages subject to the qualification that the liquor should not be vended except on a license. Under para 5 of the same order and with reference to the necessity for a license the case, should. I think be referred to the Revenue authorities".

The Inam Superintendent has recorded the following in column 20:-

"5. The Inamdars enjoy the privilege of extracting toddy and vending it without license as per Sannads produced- this privilege still continued by the Chief Commissioner's No.3697-30, dated the 8th October 1873, para 4, but subject as therein laid down, para 5, by their obtaining a license for its vend"

x x x x x x

and with sayer, abkari and forest rights reserved.

It is evident that the term "abkari" is throughout used in the sense of arrack and that the Inam settlement fully concedes the right of the Inamdar to the Excise revenue from toddy of jodi Vaddarahalli village. The only restriction imposed upon the Inamdar is that such revenue should be derived by leasing out the right to Government contractors and not by exercising the privilege

privilege himself. The wording of the decision is such as to make it applicable to all the villages belonging to the Inamdar. As already observed there is nothing in the Nirups relati Vaddarahalli to show that the toddy revenue has either been reserved 6r conceded. The probability appears to be that the right was not reserved to Government. However, the Inam Settlement concedes it and proof of enjoyment for the prescribed period would entitle the Inamdar to the Excise revenue from toddy of this village.

11. At the Inam settlement of Kayamgutha Ittsandra village conducted in the year 1879 all rights to Sayar, Abkari and Forests were reserved. There is no extenuating circumstances in this case to construe the term "Abkari"as referring to "Arrack" alone. The original Sannads alienating the village have not been produced.

12. Of the five villages, Dalasagere, Siddanahalli, Medur, Geddalahallipura and Hosa Venkatapura, the Inam settlement treats Dalasagere as the Asli village and the remaining four as dhakles. In column 19 of Dalsagere Inam register, the Inam Assistant makes the following remarks:-

"10. The items now enjoyed by the Jodidars are-

(1) x x x x
(2) x x x x
(3) x x x x
(4) x x x x
(5) Toddy.

Toddy trees growing in the Jodi villages are farmed

evident that at the Inam settlement the right of the Inamdar to the Excise revenue from toddy of Dalsagere and four other villages has not been reserved to Government. The Inam registers of enquiry of the Dhakle villages simply refer to the decision in the Asli case.

13. Coming to the last subject of enjoyment, beginning with the Bangalore Division Superintendent's order No.32, dated the 9th November 1849 and ending with the Government order No.9514-5 Ex.381, dated the 1st April 1898, there is a complete string in proof of enjoyment from almost the very time of alienation up to the beginning of the Farming system. As regards the period from 1885 to 1890 the Bangalore District Deputy Commissioner has not yet been able to submit the records and no very useful purpose will be served by waiting any longer. But this interval of 5 years for which direct evidence is not available is nothing when considered with the continuous period of enjoyment for which proof is forthcoming.

14. As regards the places where shops were actually worked, we find in the agreements relating to the period from 1857 to 1860 that there were shops at

1. Dalsagere.
2. Medur.
3. Ittsamdra and
4. Hindignal Santhe.

During the years 1864 to 1867 shops were worked in Agrahar Vaddar

8
in addition.

Vaddarahalli, Hosa Venkatapura, Siddanahalli and Geddalahallipura. In 1867-68 there were no shops at Siddanahalli, Hosa Venkatapura and Medur. During the years 1868 to 1873 there was an additional shop in a grove but the shops in Geddalahallipura and Hosa Venkata-pura do not appear to have been worked. The five shops of Siddan halli, medur, Agrahar Vaddarahalli, Geddalahallipura and Hindig-nal Santhe only were worked during 1874 to 1879 while in the years 1878 to 1883, Dalasagere, Medur, Vaddarahalli and Hindignal Santhe were worked. From the report No.889, dated the 11th Novr 1884 from the Amildar of Hoskote to the Deputy Commissioner, Bangalore District, It would appear that when the Inamdar's shops were finally closed there were working shops in the follow-ing places:-

1. Dalasagere.
2. Medur.
3. Geddalahallipura and
4. Hindignal Santhe.

15. The 23 extracts of the correspondence between the Taluk and the District filed in the records, clearly exhibit the conflict there was between the Government contractors and the Inamdars. The latter persisted in the exercise of their rights by their own agency on the ground that the leasing out of the privilege to the Government contractors would cause them heavy loss. The weight of evidence and authority on the side of the Inamdar was so strong that the Deputy Commissioner was obliged to pass an order in his

difficulty here is that the shop is situated in rent free tope belonging to the Inamdar but within the jurisdiction of the Government village. As regards Ittsandra the original Sannads are not available and there is absolute reservation at the Inam Settlement. There was a shop in the village till 1873. So, therefore, in this case, except enjoyment till 1873, there is nothing further to support the claim. But if shops are allowed to be opened at least in the places where they were when last closed the Inamdar will surely secure the revenue proportionate to the drinking population of all the Inam villages plus the revenue from the Hindignal Santhe shop. No shops can be allowed to be reopened as it will create a very undesirable precedent and many an Inamdar whose claim has been allowed but who has not got a working shop within the limits of his village, will be loud in his complaint to have a shop opened in his village. Nor can the present working Hindignal Santhe shop be called an Inam shop and the revenue derived therefrom paid to ~~him~~ the Inamdar. In these circumstances the Inamdar may be allowed a revenue under rule 13 proportionate to the population of all his seven Inam villages in consideration of the fact that his claim to the Hindignal Santhe shop cannot be altogether dispensed with and that he has not made out a strong case in respect of his claim on account of Ittsandra village.

18. All the connected records are herewith resubmitted.

I have the honor to be,

Sir,

Your most obedient servant

Asuamma

for Excise Commissioner.

in Mysore.

4 Copies 2 1/2

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(91)

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read.-

The following papers regarding the claim to the toddy excise revenue of Dolosigere & 6 other villages in the Nandagudi Hobli, Hoskote Taluk, Bangalore District.

1. Paras 4 to 9 of the Bangalore Deputy Commissioner's letter No. D.107 dated the 15th July 1897.

2. Excise Commissioner's letter No. 3618-613 dated 24-10-1903.

3. Letter No. Fl. 5961/S.R.38-02 dated 17-3-1906 to the Superintendent of Inam Settlements.

4. Inam Superintendent's letter No. 110 dated 5th ~~August~~ April 1906.

5. Letter No. Fl. 7343/S.R.38-02-11 dated 2-5-1906 to the Superintendent of Inam Settlements.

6. His reply No. 124 dated 11-5-1906

7. Letter No. Fl. 8715/S.R. 38-02-13 dated 22-6-1906 to the Excise Commissioner

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Commissioner and

8. His reply No. 4681 dated 19-6-1907 together with its enclosure ~~(all to be printed in extenso).~~

9 Subsequent Correspondence with the Excise Commr on the Subject.

Order Thereon No.____ Dated Bangalore

Four villages (Dolosigere, Giddahalli, Siddanahalli & Meduru) were granted on Kayamgutta to one Venkatakrishnaiya by a sannad of 1822, but these were confiscated in 1825. By a sannad of 1827 these 4 villages together with another (named Hosa Venkatapura) were regranted to the Inamdar. on Jodi Tenure -

Neither the sannad of 1822 nor that of 1827 conceded the Excise ~~revenue~~ to the Inamdar. The present Inamdars base their claim solely on 2 documents viz the Fouzdar's orders of 1824 and the Bangalore Divisional Superintendent's order of 1849.

2. For reasons stated in his letter of the 24th October 1903 the Excise Commissioner

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Commissioner ~~@~~ is of opinion that the Fouzdar's order of 1824 which is antecedent to the sannad of 1827 cannot apply to the villages granted by the latter. Government concur in this view, and hold that as the sannad of 1827 is the Title Deed for the Inam itself, the Inamdars cannot for the purpose of supporting a claim to the toddy ~~revenue~~ excise ~~in~~ from the Inam villages go back to the sannad of 1822 nor to the Fouzdar's order of 1824 based upon that sannad. It may be remarked in passing that the Fouzdar's order, without conferring a fresh right which indeed he was not competent to confer, only professes to interpret the sannad of 1822 and to authorise the Inamdar to raise the ~~revenue~~ income of the villages as allowed by the sannad. As already observed the sannad of 1822 does not confer ~~toddy~~ excise rights.

plant & cultivate Toddy yielding trees and

3. The other document relied upon--the Bangalore Divisional Superintendent's order of 1849-- referred to the Fouzdar's order ~~similarly~~ directed

(94

directed that the Inamdar presumed to be in enjoyment of this item of revenue, may be left undisturbed in such enjoyment "according to mamool" and this order may be taken as evidence of the Inamdar's enjoyment at that period though not as conferring or recognising his right to this revenue as founded on express grants by competent authority.

That if the Inamdar has been growing his own Toddy trees and taking the toddy produced in those trees & the Municipal Village selling it there for a long series of years he may be allowed to continue to do so until further orders -

4. At the Inam Settlement conducted in 1875, the right to Abkari was reserved to Government and as a consequence of this neither in the Title Deeds nor in the quit rent register is there any mention of the concession of toddy revenue to the Inamdar. In a list of villages entitled to toddy revenue prepared by the Inam Department in 1889, these 5 villages appear, but this entry can have no weight by itself and has to be rejected as incorrect because it is not supported by the Inam Settlement.

5. The Inam Superintendent states that the omission to mention "toddy" in the Quit rent register and Title Deeds must

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must be regarded as a mistake, and he interprets "Abkari" reserved at the Inam Settlement as including only "arrack", while "toddy" which was admitted at the Inam inquiry to be in the enjoyment of the Inamdar$ he considers as meaning the entire toddy revenue to which therefore he would admit the Inamdar's right. This view of the Inam Superintendent is not supported by any authority and is opposed to the Inam Settlement and Title Deed noticed in para 4 above. In view of the description of the nature of enjoyment of toddy given by the Assistant who conducted the Inam inquiry of his statement that Abkari was governed by Precis No. 6, of the unqualified manner in which the then Inam Superintendent reserved to Government the right to Abkari, of the general use at the time of the word "Abkari" to mean Excise revenue, and in accordance with rule 18(3) contained in G. O. No. 2074-83/

R.F.

R.F. 166-92 dated 2-8-1901, the Inam Superintendent's interpretation of the extent of reservation given in his letter No. 110 dated 5-4-1906 ~~does not seem to be~~ correct.

6. The investigating Officer also relied upon the Fouzdar's order of 1824 the Bangalore Division Superintendent's order of 1849 and the Inam Departmental list of 1889. But for the reasons stated above, Government agree with the Excise Commissioner in holding that the right to toddy excise ~~revenue~~ has not been conceded either by the sannad or by Inam Settlement.

7. There is no toddy shop in any of the 5 villages referred to since 1884 and the shop at Hindiganal a Government village though situated in a rent free tope owned by the Inamdars belongs to Goverment. The Inamdar's claims to the toddy revenue from this shop manifestly ~~is~~ inadmissible.

8. As regards the 2 villages Itsandra and Agrahara Vaddarahalli also, there is no mention of toddy revenue in the sanmad and the right to Abkari has been reserved to Government at the Inam settlement. Government agree with the Investigating Officer and the Excise Commissioner and disallow the claim to the toddy revenue of these 2 villages also.

Secretary to Govt.

To

The Excise Commr in Mysore returning records.

The Comptroller, Mysore Govt.

The Supdt of Inam Settlements in Mysore.

The Deputy Commrs of Districts.

S.C.R.

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

The following papers regarding the claim to the toddy excise revenue of Dolasigere and six other villages in the Nandagudi hobli, Hoskote Taluk, Bangalore District :—

1. Paras 4 to 9 of the Bangalore Deputy Commissioner's letter No. D. 107, dated the 15th July 1897.
2. Excise Commissioner's letter No. 3618-613, dated the 24th October 1903.
3. Letter No. Fl. 5961—S. R. 38-02, dated the 17th March 1906, to the Superintendent of Inam Settlements.
4. Inam Superintendent's letter No. 110, dated the 5th April 1906.
5. Letter No. Fl. 7343—S. R. 38-02-11, dated the 2nd May 1906, to the Superintendent of Inam Settlements.
6. His reply No. 124, dated the 11th May 1906.
7. Letter No. Fl. 8715—S. R. 38-02-13, dated the 22nd June 1906, to the Excise Commissioner.
8. His reply No. 4681, dated the 19th June 1907, together with its enclosures.
9. Subsequent correspondence ending with the Excise Commissioner's letter No. 6268, dated the 26th January 1910.

NO. FL. 3896-8—S. R. 38-02-22, DATED BANGALORE, 15TH MARCH 1912.

ORDER THEREON.—Four villages (Dalasigere, Giddahalli, Siddanahalli and Meduru) were granted on Kayamgutta to one Venkatakrishnaiya by a sannad of 1822, but these were confiscated in 1825. By a sannad of 1827, these four villages together with another (named Hosavenkatapura) were regranted to the Inamdar on Jodi tenure.

Neither the sannad of 1822 nor that of 1827 conceded the excise to the Inamdar. The present Inamdars base their claim solely on two documents, *viz.*, the Fouzdar's orders of 1824, and the Bangalore Divisional Superintendent's order of 1849.

2. For reasons stated in his letter of the 24th October 1903, the Excise Commissioner is of opinion that the Fouzdar's order of 1824, which is antecedent to the sannad of 1827, cannot apply to the villages granted by the latter. Government concur in this view and hold that as the sannad of 1827 is the title-deed for the Inam itself, the Inamdars cannot, for the purpose of supporting a claim to the toddy excise from the Inam villages, go back to the sannad of 1822 nor to the Fouzdar's order of 1824 based upon that sannad. It may be remarked in passing that the Fouzdar's order, without conferring a fresh right, which, indeed, he was not competent to confer, only professes to interpret the sannad of 1822 and to authorise the Inamdar to plant and cultivate toddy-yielding trees and raise the income of the villages as allowed by the sannad. As already observed, the sannad of 1822 does not confer excise rights.

3. The other document relied upon the Bangalore Divisional Superintendent's order of 1849 referred to the Fouzdar's order and directed that if the Inamdar has been growing his own toddy trees and taking the toddy produced in those trees to the Hindiganal village and selling it there for a long series of years, he may be allowed to continue to do so until further orders.

4. At the Inam Settlement conducted in 1875, the right to Abkari was reserved to Government, and as a consequence of this, neither in the title deeds nor in the quit-rent register is there any mention of the concession of toddy revenue to the Inamdar. In a list of villages entitled to toddy revenue, prepared by the Inam Department in 1889, these five villages appear, but this entry can have no weight by itself and has to be rejected as incorrect, because it is not supported by the Inam Settlement.

5. The Inam Superintendent states that the omission to mention "toddy" in the quit-rent register and title-deeds must be regarded as a mistake, and he interprets "Abkari" reserved at the Inam Settlement as including only "arrack," while

Financial (Separate Revenue), dated 15th March 1912.

"toddy" which was admitted at the Inam enquiry to be in the enjoyment of the Inamdar he considers as meaning the entire toddy revenue to which therefore he would admit the Inamdar's right. This view of the Inam Superintendent is not supported by any authority and is opposed to the Inam Settlement and title-deed noticed in para 4 above. In view of the description of the nature of enjoyment of toddy given by the Assistant who conducted the Inam enquiry, of his statement that Abkari was governed by Precis No. 6, of the unqualified manner in which the then Inam Superintendent reserved to Government the right to Abkari, of the general use at the time of the word "Abkari" to mean Excise revenue, and in accordance with Rule 18 (3) contained in Government Order No. 2074-83—R. F. 166-92, dated the 2nd August 1901, the Inam Superintendent's interpretation of the extent of reservation given in his letter No. 110, dated the 5th April 1906, is not correct.

6. The Investigating Officer also relied upon the Fouzdar's order of 1824, the Bangalore Division Superintendent's order of 1849 and the Inam Departmental list of 1889. But, for the reasons stated above, Government agree with the Excise Commissioner in holding that the right to toddy excise has not been conceded either by the sannad or by Inam Settlement.

7. There is no toddy shop in any of the five villages referred to since 1884 and the shop at Hindiganal, a Government village, though situated in a rent-free tope owned by the Inamdars, belongs to Government. The Inamdars' claims to the toddy revenue from this shop is manifestly inadmissible.

8. As regards the two villages Itsandra and Agrahara Vaddarhalli also, there is no mention of toddy revenue in the sannad and the right to Abkari has been reserved to Government at the Inam Settlement. Government agree with the Investigating Officer and the Excise Commissioner and disallow the claim to the toddy revenue of these two villages also.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore, returning records.
The Comptroller, Mysore Government.
The Superintendent of Inam Settlements in Mysore.

Exd.—C. V.

G.R.S. 28]

Rough draft

File No. 38-02

Serial No. 27

Diary No. of letter replied to 55-91 & 00

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(S.V.)

, the 190

Date of issue

Signed by

Mysore Press

READ.— The following
Kaleeno regarding the
Clerk to the Todagere
revenue of Dalasigere &
6 other villages in the
Nandagudi Kaleli, Hoskote
Taluk, Bangalore District:
1) Paras 4 to 9 of the Bangalore
Commr letter no. D 607
& the 15th Dec 1897
2) Excise Comrs letter
no 3618-613 & 24/1903
3) Letter no FL 5361-8438-02
& 17. 3.06 & the Resident -

over

ORDER THEREON:—No.

SUBJECT

tendered of Revenue Settle
ments.

4) ~~Letter~~ Revenue Reference
tenders letter no 110 of
5th April 06

5) Letter no H) 343 –
84.38.02-4 of 25/5/06 to
the Supdt of Revenue Settle
ments.

6) Despatch no 124 of 11/8/06

7) Letter no H 8715 – 84.38-02-13
of 22/8/06 to the Excise Comm &
~~Secd~~ despatch no 4688 of 19/8/06
together with its enclosure
(all to be returned with
objection)

Other Revenue No

Taken village (Dolasigere
Giddahalli, Siddanahalli
& Medure) were granted
on Karyaperaguttu to one
Venkata Krishnaiah –
Cr & Samad of 0822

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

but these were confiscated in 1825. By a Sannad of 1827 these 4 villages together with ~~the~~ one Colleen (named Hosa Venkatasseera) were restored to the Poligar.

Neither the Sannad of 1822 nor that of 1827 conceded the excise revenue to the Zamindar. The present Zamindar base their claim solely on 2 documents viz the Fouzdaree orders of 1824 and the Ramnaloor Divisional Superintendents order of 1849

2 For reasons stated in his letter of the 24th ult.

MGCPB—30,000—5-4-05.

the Recess Comte, is of
opinion that the Four
days order of 1824 which
is antecedent to the
Statute of 27 Canal of
apply to the Village
granted by the latter
Govt. Concern ~~with~~ in this view
~~him~~ and hold that
as the Statute of 27
is ~~relied upon for~~ The Title deed set
~~establishing the right~~
~~to~~ the Decree, that Statu-
dary Canal for the
purpose of ~~supporting~~ a claim
~~their right~~ to the Lock
Revenue ~~of~~ in the drawings go back
~~upon~~ the Statute of 1822.
21 or ~~on~~ the ~~Four~~ Years

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

It may be remarked in passing that the Fouzdari order, without conferring a fresh right which indeed he ~~had no authority to~~ was not competent to confer only professes

order of 1824 ~~relating~~ that ~~based upon the~~ based upon the Sanad of 1822. ~~The~~ ~~professing that the~~ Fouzdari order has acceptability - which it does not possess as he could not concede a right not allowed by the Sanad. ~~The~~ effect of ~~of~~ cession that it did not confer on the ~~Zamindar~~ ~~acceptable~~ right to ~~exercise~~ ~~for it professed only~~ to interpret the Sanad of 1822 and to ~~authorize~~ the Zamindar to ~~practise~~

the revenue as allowed
by the Secretary of State this
Council of 1872
does not confer
the Wodeyar rights.
3. The
Settlement Deed relied
upon - the Banglore
Divisional Asst's
order of 1849 - directly
directed that the Revenue
Commissioner should
in enjoyment of the
item of revenue may be
left undisturbed in
such enjoyment
according to Mamool"
and this order can not
therefore be taken
possibly as evidence
of the Plaintiffs enjoy
ment (and not as conferring or recognizing
the alleged hereditary
rights
admitting his right

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

to the previous ~~co~~
proceeded on duly ~~e~~ proof
grants by competent
authority.
The divisional
Supt. probably
assumed that the
Jungdeen order of
1874 was correct and
authorized and therefore
valid, overlooking ~~the~~ ~~fact~~ that
~~the~~ order was antecedent
to the passing of 1877.
4. At the Pasca Settle-
ment Condreeled in
1875, the right to Alekan
was ~~assumed~~ reserved to Govt.

MGCPB—30,000—5-4-05.

~~In accordance with~~
And as a consequence of this
~~the settlement written~~
in the title deeds nor
in the Quitrent register
is there acceptance
of the concession of
land previous to the
Macedon. In the
5 villages entitled
to land previous pre-
pared by the Assembly
in 1809, these villages
appear, but the
earth can have no
weight by which they are supported as in error because
~~as~~ it is not
supported by the Assembly
Settlement
5 The Macedon report

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

States that the Commission to mention "lands" in the Quit Rent Registers and Title Deeds misunderstanding as a mistake, and interprets "Lakare" reserved at the Lease Settlement as including only "cornfields", while "lands" which was admitted at the Lease Settlement inquiring the as in the enjoyment of the Landlord, he Considers as meaning the entire lands

to which therefore
he would admit
the Plaintiff's prayer
His view of the Case
seems not supported
by any authority
in view of the description
of the nature of every
Mill of town given
by the Assistant
who conducted
the Plaintiff through
his Mill and
Machinery was governed
by Section 6 of
the Mississippi
Manner in which
the Three Cases
reserved by Court

Please see (illegible)
[illegible]

and is affirmed
& the Injunction
dissolved
Title Deed & Rice
1 - 4 and 4 above

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

the present to Alekani

case of the General

use at the time of

the word "Alekani" to

mean the Valley

& Lease presence,

and in accordance

with rule 18(3) Contain

ed in G.O. No 2074-83 -

R.A. Veb -92 of 28/01,

the Lease subject

to interpretation of

the effect of reservation

given in his letter

No 110 of 5/4/00 dated

~~to be accepted.~~ In view of the

6. The Investigating

Officer also relied

upon the foregoing
order of 1824. the
learned Counsel
subsequent order of 1869
& the Decree dated 1st
of 1889. But for the
reasons stated above
Govt. agree with the
Excise Comr, in
holding that the
right to levy Excise
has not been conceded
either by Sanad or by
Decree Settlement.

7. There is no levy
duty in any of the
above 5 villages referred
to since 1884 and the
Govt. of Bundigana
a Govt. village through

G.R.S. 27

ENERAL AND REVENUE
SECRETARIAT.

Continuation Sheet draft form.)

situated in a great-
grove to the north
the deceased was living
to Govt. ~~and the~~ The
Kaccadan, claim
to the toddy revenue
from this shop manifestly
is ~~therefore~~ needless

8. As regards the
2 villages Usandr
and Vaddandialli
Agalawa
also, there is no
mention of toddy
revenue in the
Sannad and the
grant to Alekari
has been reserved
~~is reserved~~ to Govt.
at the decease of
Govt. of

with the respite
of the Recog-
nizance and disallow
the claim to the Lands
recovered of these
2 villages also

11 Dec 07

CCB
Rec 3/1/12

2 Nee Recognizance for felonious Arson
Nee Confederacy
Nee Subpoena of Assembly
Nee Bonds of Sheriffs

CCB
14/1

Excise Commr No FL 8715 dy 22.6.06

requests to be informed of the exact circumstances under which the shops were closed in 1884-5 and to forward a copy of the order directing their closure together with other connected papers

4 To the Excise Commr No FL 3071 dy 30.10.06

Requests to be furnished with the above information at an early date.

5 From the Excise Commr No 4681 dy 19.6.07

Submits copy of Bangalore Dy Commr's letter No A 22 dy 22.5.07 & the connected files of vernacular records from which it will be seen that the shops were closed under orders of Govt, Camp no C dy 7th November 1884 upon a complaint from the Govt toddy Contractor

6 From Seenappa and Hanumantha Rao Inam villages Jodidars of Siddanahalli, Dalsigere etc villages Hoskote Tq. Bangalore dt

petition dy 24.2.08

Request that they may be given a hearing with the records already filed and yet to file

7 From the above - petition dy 9.5.08

pray that the dakhalas of the past 84 years, showing full right and enjoyment of the toddy trees & shops mentioned in the Inam villages be perused & the rights established confirmed

To the Excise commr. No FL 6295 dy 2.6.08

Forwards Sl 17 with records etc for examination and report as to the extent if any to which the statements contained in the petition under reference conform or modify the opinion furnished to Govt by Mr P. in Purnaiya in the matter and stating that the petitioners may be given a hearing if necessary

9 To the Inamdars of Dalsigere & other villages.

No FL 6296 dy 2.6.08.

Informs them that their petition has been sent to the Excise Commr for report and points out their irregularity in having addressed a member of Govt by name instead of the Secy to Govt in the usual course

[illegible] of the above duly to the Secy

J SC 18 210

from Sivaprasad and Hanumantha Rao Jgs &

petition dy 22.1.09

Requests Represents their claim is long pending disbursal and requests ~~that~~ grant of an advance of Rs 5000/- in order to enable them to celebrate the marriage of their daughters or to grant them a loan of this amount on the security of their Kodagi Inam lands.

From The Excise Commr No 6268 dy 26.1.1910

Submits with his opinion the records of the Case in Question

To The Excise Commr, Comptroller, Public Accounts & Auto dy Comrs of Dis. No FL 3896 8 dy 5.2.10

Disallows the claim in respect of [illegible]